



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 25]

शिमला, शनिवार, 15 अक्टूबर, 1977/23 आश्विन, 1899

[संख्या 42

विषय-सूची

भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	1598—1603 तथा 1622—1623
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	1603—1607
भाग 3	अभिनियम, विधेयक और विधेयकों पर प्रश्न समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंस कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा प्रविसूचित आदेश इत्यादि	1607—1609
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन परिषद तथा पंचायती राज विभाग	—
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भाग 6	भारतीय राजपत्र इत्यादि से के पुनः प्रकाशन	1611—1622
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनुपूरक	1624—1627

15 अक्टूबर, 1977/23 आश्विन, 1899 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां भ्रसाधारण राजपत्र, हिमाचल प्रदेश में प्रकाशित हुईं:-

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. Home (A)-F(15)1/77, dated the 4th October, 1977.	Home Department	Defining certain areas as notified area for carrying out field firing and artillery practices for five years.
No. EXN-1(16)/74, dated the 10th October, 1977.	Excise and Taxation Department	Amendments in the Himachal Pradesh General Sales Tax Act, 1968,
No. PCH. H-A(4)-17/76, dated the 4th October, 1977.	Panchayati Raj Vibhag	Amendments in the Himachal Pradesh Panchayati Raj (General) Financial, Budget, Accounts, Audit, Taxation, Services and Allowances Rules, 1975.
No. PCH. H-A(3)-1/77, dated the 7th October, 1977.	-do-	Amendments in the Himachal Pradesh Panchayat Samiti (Co-option of Members) Rules, 1973.
No. PCH. H-(3)-1/77, dated the 7th October, 1977.	-do-	Amendment in the Himachal Pradesh Zila Parishads (Co-option of Members) Rules, 1973.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा

अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

PERSONNEL DEPARTMENT

NOTIFICATIONS

Simla-171002, the 30th September, 1977

No. 3-29/69-Appnt.—The Governor, Himachal Pradesh is pleased to place the services of Shri H. C. Saraswati (substantive Under Secretary, Himachal Pradesh Government) presently posted as Under Secretary (ex-cadre post) in Himachal Pradesh Vidhan Sabha, at the disposal of Himachal Pradesh Vidhan Sabha for appointment as Deputy Secretary on deputation basis, with effect from the date of joining as such.

SUNBETA MUKHERJEE,
Joint Secretary.

Simla-171002, the 4th October, 1977

No. PER(A-I)-B(6)-2/77.—The Governor, Himachal Pradesh is pleased to order the following transfers and postings with immediate effect in public interest:—

- (1) Shri B. R. Lakhanpal, H.A.S. Secretary, Himachal Pradesh State Electricity Board, Simla is transferred and posted as Director of Land Records and Consolidation of Holdings, Himachal Pradesh, Simla (vacant post); and
- (2) The services of Shri Y. R. Mahajan, H.A.S. Under Secretary (Horticulture) to Government of Himachal Pradesh, Simla-2 are placed at the disposal of Himachal Pradesh State Electricity Board, Simla for appointment as Secretary, Himachal Pradesh State Electricity Board, on deputation basis vice Shri B. R. Lakhanpal.

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

Simla-171002, the 6th October, 1977

No. 10-3/72-DP-Appnt. (A-I).—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Kedar Nath Sharma, Naib Tehsildar, Sarkaghat, to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Tehsil Sarkaghat of Mandi district, with immediate effect.

Simla-171002, the 7th October, 1977

No. 10-1/72-DP-Appnt (A-I).—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Shashi Bhushan Rewal, Tehsildar Sadar Chamba, to be the Executive Magistrate, with all the powers of an Executive Magistrate, under the said Code, to be exercised within the local limits of Tehsil Sadar Chamba of Chamba district, with immediate effect.

SUNEETA MUKHERJEE,
Joint Secretary.

AGRICULTURE DEPARTMENT

NOTIFICATION

Simla-171002, the 30th September, 1977

No. 38-28/71-Agr. (Secdt.).—In pursuance of the condition No. (5) of this Department notification of

even number, dated the 18th July, 1977, the Governor, Himachal Pradesh is pleased to order release of the terms and conditions as per Annexure 'B' which would govern the transfer of the staff presently attached to Bhangrotu Workshop on its transfer to Himachal Pradesh Agro-Industries Corporation Ltd.

ANNEXURE 'B'

TERMS AND CONDITIONS GOVERNING THE TRANSFER OF THE STAFF ATTACHED TO BHANGROTU WORKSHOP DISTRICT MANDI AND TRANSFERRED TO HIMACHAL PRADESH AGRO-INDUSTRIES CORPORATION LTD.

(1) The staff attached to the Bhangrotu Workshop shall be transferred to the Himachal Pradesh Agro-Industries Corporation on their existing scale of pay with the allowances attached thereto. The Corporation shall, however, be free to prescribe their own scales of pay for all or any of the posts in pursuance of the general policy laid down by the State Government from time to time, provided that the new scales shall not involve any reduction in the emoluments which the employee concerned would have drawn in the scale of pay attached to the post but for transfer of the institution to the Corporation.

(2) All the staff employed for Bhangrotu Workshop shall be permitted to exercise their option to serve under the Corporation.

(3) The isolated posts for whom the equivalent posts of similar nature are not available with the department shall stand abolished from the date of such transfers and the staff attached to such posts, irrespective of the fact whether they are working in temporary/substantive capacity or in any other capacity, will cease to be in the service of the Government of Himachal Pradesh and such employees on their transfer to the Corporation will be given service benefits which may become admissible to them under the Government Rules for the period they remained in the service of the Government.

(4) The employees who are not willing to get their services transferred to the said Corporation shall be deemed to have retired from the service under the State Government as a result of abolition of the post held by him/them, with such benefits as may be available to him/them under the relevant service rules.

(5) The employees attached to the Workshop transferred to the Corporation who are not on isolated posts and where similar posts remain under the control of the department, will be absorbed against the concerned posts subject to availability. In case equivalent posts for such employees are not available with the department, then the junior most employees of the concerned service/trade(s) will cease to be in the service of the Government of Himachal Pradesh and such employees will be transferred to the Corporation and on their transfer to the Corporation, will also be given service benefits which may become admissible to them under the Government Rules for the period they remained in the service of the Government. In case of persons not willing to be absorbed in the Corporation, in this manner, para (4) will apply.

(6) All the persons transferred to the Corporation shall be governed by such service rules and conditions as may be framed by the Corporation for this purpose from time to time.

J. N. CHAUHAN,
Under Secretary.

By order,
ANANG PAL,
Secretary.

VITTA VIBHAG
(KHAZANA TATHA LEKHA VIBHAG)

NOTIFICATION

Simla-171002, the 4th October, 1977

No. 3-5/74-Fin. (T&A).—In continuation of this Department notification of even number, dated the 13th April, 1977, the Governor, Himachal Pradesh in consultation with Himachal Pradesh Public Service Commission

is pleased to extend the period of promotion of Shri Tulsi Ram Assistant Treasury Officer, as officiating Treasury Officer, Mandi in the pay scale of Rs. 350—900 (Class II) on purely temporary and *ad hoc* basis for a further period of four months with effect from 28-5-77 or till a post of Treasury Officer, Mandi is filled up on a regular basis whichever is earlier.

Y. L. RAJWADE,
Sachiv.

FOREST DEPARTMENT

NOTIFICATION

Simla-2, the 27th September, 1977

No. 1-1/72-SF (Estt.).—The Governor, Himachal Pradesh is pleased to order the following transfers and postings of I. F. S. and P. F. S. Officers with immediate effect, in public interest:—

Sl. No.	Name of Officers	From	To
1.	Shri K. K. Gupta, I. F. S.	Lahaul and Spiti Forest Division, Keylong.	Chamba Forest Division <i>vice</i> Dr. M. S. L. Vaidya.
2.	Shri M. S. L. Vaidya, I. F. S.	Chamba Forest Division, Chamba.	Kangra Forest Division, Dharamsala <i>vice</i> Shri D. R. Dhiman.
3.	Shri Ajit Lal Sharma, (Select List Officer).	Nurpur Forest Division, Nurpur	Pangi Forest Division, Kilar <i>vice</i> Shri Chhering Dorje (now adopted the name of C. D. Katoch).
4.	Shri Chhering Dorje, I. F. S. (now C. D. Katoch).	Pangi Forest Division, Kilar	Dalhousie Forest Division <i>vice</i> Shri G. C. Choudhry.
5.	Shri G. C. Choudhry I. F. S.	Dalhousie Forest Division	D.F.O. Headquarters in Direction Office <i>vice</i> Shri S. C. Sharma.
6.	S. C. Sharma, I.F.S.	D.F.O. Hdqrs. Simla	D. F. O. Bilaspur <i>vice</i> Shri S. R. Arya.
7.	Shri S. R. Arya, I.F.S.	D.F.O. Bilaspur	D.F.O. Nurpur <i>vice</i> Shri Ajit Lal Sharma
8.	Shri Gurdev Singh	At present working as ACF., Chamba Forest Division at Chamba.	Lahaul and Spiti Division, Keylong <i>vice</i> Shri K. K. Gupta.
9.	Shri R. Malhotra	Soil Conservation, Dharamsala	Plantation Division, Rajgarh <i>vice</i> Shri C. P. Sharma who is holding additional charge of this post.
10.	Shri B. N. Ghildyal	D. F. O. Nachan Forest Division at Mandi.	I/C Forest Training School, Chail with Headquarters at Chail against Shri P. C. Sharma.
11.	Shri D. R. Dhiman	D.F.O. Kangra at Dharamsala	D.F.O. Suket Forest Division, Sundernagar <i>vice</i> Shri H. C. Sharma.
12.	Shri B. D. Bhartya	D.F.O. Soil Conservation Division, Bilaspur.	D. F. O. Hamirpur <i>vice</i> Shri R. L. Verma.
13.	Shri G. S. Negi	D.F.O. Seraj Forest Division, Banjar.	D.F.O. Nachan at Mandi <i>vice</i> Shri B. N. Ghildyal.
14.	Shri Y. P. Bajaj	Working as DCF, PF and P at Simla.	D.F.O. Timber Extraction Division, Kulu <i>vice</i> Shri C. L. Sudhera.
15.	Shri H. C. Sharma	D.F.O. Suket at Sundernagar	Kotgarh Working Plan Division with Hdrs. at Kotgarh against a newly created post.
16.	Shri G. L. Sudhera	D.F.O., T. E. Kulu	Forest Utilisation Officer in the direction office at Simla against a vacant post.
17.	Shri R. L. Verma	D. F. O. Hamirpur	D. F. O. Wood Based Industries, Shamshi <i>vice</i> Shri Vishal Singh.
18.	Shri D. D. Shagotar	After completion of Kunihar Working Plan.	Dy. C. F. P. F. & P. at Simla <i>vice</i> Shri Y. P. Bajaj.
19.	Shri P. C. Sharma	I/C Forest Trng. School. Chail	D. F. O. Simla Ft. Division, Simla against a vacant post.
20.	Shri O. P. Sharma	After completion of Rajgarh Working Plan.	Seraj Forest Division, Banjar <i>vice</i> Shri G. S. Negi.
21.	Shri P. C. Chandel	Forest Corporation, Bilaspur	D. F. O. Soil Cons. Divn., Hamirpur against a vacant post.
22.	Shri N. K. Negi	At present working as Assistant WPO Kinnaur.	D. F. O. Soil Cons. Divn., Dharamsala <i>vice</i> Shri R. Malhotra.
23.	Shri C. R. Premi	Technical Assistant Dharamsala Circle.	A.C.F. Nachan Forest Divn., Mandi <i>vice</i> R. P. Bhardwaj.
24.	Shri R. P. Bhardwaj	A.C.F. Nachan Ft. Divn., Mandi.	Technical Assistant Dharamsala Circle <i>vice</i> Shri C. R. Premi.
25.	Shri M. B. Srivastava	On Leave	D.F.O. Soil Cons. Bilaspur <i>vice</i> Shri B. D. Bhartya.
26.	Shri Hem Raj Sood	A.C.F. Chopal Ft. Division.	A.C.F. Planning Cell at Simla
27.	Shri Bhikham Singh	On Leave.	A.C.F. Chamba Circle Chamba
28.	Shri Vishal Singh	D.F.O. W. B. I. Shamshi	A.C.F. Chopal Forest Division <i>vice</i> Shri Hem Raj Sood.

R. C. GUPTA
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Simla-171002, the 29/30th September, 1977

No. FDS. A(3)-5/77.—Consequent upon the classification of the post of Superintendent under the Food and Supplies Department, Himachal Pradesh ordered vide Office Order of even number and date, the Governor, Himachal Pradesh is pleased to formally appoint temporarily Shri Arjun Singh as Superintendent in the pay scale of Rs. 500—900 (Class-II) Gazetted, in the Directorate of Food and Supplies, Himachal Pradesh, against the re-classified post of Superintendent, with effect from 23-2-1977.

By order,
S. M. KANWAR,
Secretary.

HORTICULTURE DEPARTMENT

NOTIFICATION

Simla-2, the 4th October, 1977

No. 33-1/74-Hort. Sectt.—The Governor, Himachal Pradesh is pleased order the posting of Shri J. P. Gupta, Horticultural Development Officer, on revision from deputation with H.P. P.W.D., w.e.f. 30-9-77 (A.N.), as District Horticultural Officer, Kinnaur district.

2. The Governor is further pleased to order that Shri J.P. Gupta will resume his duties as District Horticultural Officer in the Directorate of Horticulture, Simla-2, as he intends to proceed on one month's leave.

Sd/-
Under Secretary.

UDYOG VIBHAG

NOTIFICATION

Simla-171002, the 7th September, 1977

No. 27-10/75-SI (IA).—Please read "the Land Acquisition Collector, Paonta Sahib, District Sirmur, Himachal Pradesh" for the words "the Land Acquisition Collector, Nahan, District Sirmur Himachal Pradesh" appearing at the end of this Department notification of even number, dated the 26th July, 1977, published in the Rajpatra, Himachal Pradesh, dated the 6th August, 1977.

By order,
B.C. NEGI,
Commissioner-cum-Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose*, it is hereby notified that land in the locality described below is likely to be acquired for the said *purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within

thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Solan.

*Construction of Suna-Narli road.

No. 9-11/73/PW 'B'. Simla-2, the 3rd October, 1977

SPECIFICATION

District : SOLAN		Tehsil : NALAGARH	
Village	Khasra No.	Area Big.	Bis.
1	2	3	4
SAI	766/762	477	2
	114	6	1
	115	1	6
	116	0	11
	117	0	16
	118	0	5
	120	0	5
	121	0	8
	122	0	5
	123	0	1
	124	7	4
	149	0	5
	150	0	6
	151	0	5
	152	0	2
	153	0	6
	154	0	3
	155	0	6
	200	0	3
	162	0	11
	199	0	2
	196	0	5
	198	0	7
	191	0	7
	189	0	3
	190	0	17
	188	1	0
	184	1	1
	208	1	12
	209	0	3
	210	0	14
	211	0	3
	339	0	11
	340	0	2
	341	0	8
	342	0	15
	344	1	16
	345	0	12
	363	0	11
	364	0	5
	380	2	9
	365	2	13
	373	0	4
	366	0	2
	367	0	8
	360	1	11
	506	0	2
	507	0	6
	508	0	10
	509	0	2
	510	0	7
	307	0	5
	308	0	7
	309	4	16
	305	1	8
	295	0	7
	294	0	17
	294/1	0	1
	296	0	5
	297	0	3
	298	0	3
	299	0	1
	300	1	2
	283	2	2
	731	23	0
	736	5	7
	737	8	5

1	2	3	4
	738	3	9
	739	6	17
Total	69	375	14
No. 9-11/73/PW 'B'. Simla-2, the 3rd October, 1977			
CHAROG	493	0	14
	498	79	14
	274	0	5
	275	0	4
	276	0	11
	390	0	5
	391	0	12
	756	0	17
	392	1	5
	393	0	12
	388	0	15
	395	2	9
	384	1	8
	360	2	8
	364	0	18
	365	0	5
	366	0	1
	367	0	2
	383	0	4
	368	1	2
	312	1	1
	313	0	19
	389	0	7
	314	0	6
	315	0	2
	316	0	9
	521	0	4
	523	0	18
	519	0	14
	818	3	17
	819	0	8
	817	2	4
	802	2	14
	803	0	2
	759	2	19
	796	0	2
	797	0	10
	798	1	15
	799	1	14
	794	1	0
	781	0	8
	782	0	4
	783	2	0
	786	3	18
	755	3	12
	522	3	14
	381	1	3
	805	0	17
Total	48	131	12

No. 9-11/73/PW 'B'. Simla-171002, the 3rd October, 1977.

NAKLI BRAHMANA	281/66	151	0
	272/234	115	8
Total	2	266	8

No. 9-11/73/PW 'B'. Simla-2, the 3rd October, 1977.

BAHLAN	446/1	0	2
	448	0	2
	449	0	8
	450	0	3
	465	0	2
	435	0	9
	437	0	6
	438	0	7
	434	0	3
	418	0	5
	419	0	9
	416	0	3
	417	0	2

1	2	3	4
	430	0	2
	429	0	3
	423	0	8
	432	0	2
	431	0	2
	517	0	3
	518	0	6
	519	0	8
	520	0	3
	523	0	5
	512	0	8
	513	0	12
	516	0	4
	524	1	2
	525	0	19
	544	1	4
	545	1	11
	549	0	9
	547	0	3
	548	0	1
	569	0	4
	570	0	2
	571	0	2
	572	0	6
	573	0	3
	574	0	2
	575	0	2
	597	0	14
	598	0	1
	610	0	2
	612	0	11
	590	0	6
	591	0	1
	592	0	1
	593	0	2
	594	0	1
	595	0	2
	596	0	1
	675	0	3
	676	0	2
	677	0	1
	678	1	0
	627	0	6
	693	3	14
	694	0	9
	695	0	17
	696	3	5
	699	2	9
	705	1	19
	706	1	6
	707	3	14
	130	9	14
	131	12	7
	66	8	19
	68	6	2
	69	2	8
	70	7	2
	813 min	10	0
	781 min	10	0
	660	0	2
	663	0	11
	664	0	4
	661	0	3
	651	0	3
	659	0	7
	666	0	2
	665	1	10
	641	0	3
	642	1	11
	643	2	3
Total	82	105	12

No. 9-11/73/PW 'B'. Simla-2, the 3rd October, 1977

*Construction of Ramshahar-Suna-Narli road.

DOLI	1	18	10
	2	0	17
	39	2	14
	41	8	19

1	2	3	4
	40	35	12
	56	10	19
	63	0	12
	64	0	13
	65	1	14
	61	2	17
	62	0	9
	66	2	6
	92	1	4
	93	0	18
	91	1	11
	90	1	4
	203	1	11
	199	6	15
	204	1	10
	205	2	9
	222	3	12
	226	1	16
	223	2	13
	224	0	10
	225	0	6
	313/238	20	18
	248	2	18
	243	3	2
	242	8	15
	244	11	3
	241	11	15
Kita ..	31	170	16

No. 9-11 73/PW 'B'. Simla-2, the 3rd October, 1977.

NARLI CHANALA

40	0	10
41	1	14
59	0	4
60	0	5
62	0	2
63	0	1
53	0	7
49	1	10
69	0	7
83	88	7
300	4	1
335	0	14
334	4	16
305	7	16
321	3	18
328	0	5
329	2	3
324	1	14
322	2	7
279	13	13
278	2	0
275	4	1
285	3	4
287	3	6
274	24	17
288	5	17
273	12	9
554	3	4
553	30	12
238	58	0
556	17	3
558	17	5
560	11	17
570/559	20	3

Kita .. 34 348 12

No. 9-11 73/PW 'B'. Simla-2, the 3rd October, 1977.

DOLRU

1	68	10
1/1	8	2
3	0	14
2	5	16
4	2	4
796/645	5	19
646	1	7
644	3	8

1	2	3	4
	643	1	4
	655	0	13
	667	0	2
	668	0	3
	665	0	2
	666	0	12
	664	0	12
	662	1	7
	675	4	9
	709	4	14
	711	5	19
	710	0	7
	708	2	4
	764	1	15
	763	1	18
Kita ..	23	122	1

Simla-2, the 4th October, 1977

No. PBW-1-B(3)44/75.—The Governor, Himachal Pradesh, is pleased to order that Shri K. D. Panwar, Suprintending Engineer, Design, Public Health and Irrigation, H. P. P. W. D., Simla who has given three months' notice with effect from 27th July, 1977, for pre-mature retirement on completion of 20 years' of service and 45 years of age under the provisions of Proviso below sub-rule(2) of Rule 3 of the Himachal Pradesh Civil Service (Pre-mature Retirement) (First Amendment) Rules, 1976, shall retire from Government service with effect from the 26th October, 1977 (A. N.) after the expiry of said notice.

By order,
B. C. NEGI,
Commissioner and Secretary.

RURAL INTEGRATED DEVELOPMENT DEPARTMENT NOTIFICATION

Simla-2, the 30th September, 1977

No. RID-I-B(3)-12/76.—The Governor, Himachal Pradesh, is pleased to order the upgradation of the isolated post of Development Officer (SE&T) in the pay scale of Rs. 350—800 (Class II Gazetted) at present held by Shri R. N. Joshi, to that of Assistant Director in the pay scale of Rs. 400—1100 (Class II Gazetted) and also to appoint Shri R. N. Joshi in the post of Assistant Director with immediate effect.

The Governor, is further pleased to order that the post of Assistant Director shall remain an isolated post.

This issues with the prior concurrence of the Finance Department obtained vide their U. O. No. 2443-5/10/71-Fin. (Reg.), dated the 30th September, 1977.

By order,
ANANG PAL,
Secretary.

REVENUE DEPARTMENT (PONG CELL) NOTIFICATION

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by Baira Siul Hydel Project Government of India at the public expense for a public purpose*. It is hereby notified that land in the locality described below is likely to be acquired for the said* purpose.

This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition Officer Baira, Siul Hydel Project, Chamba.

*Construction of road from Surgani to Power House

No. 4-4/74-Rev.-Cell-III-Pong Cell.

Simla-171002, the 29th September, 1977.

SPECIFICATION

District: CHAMBA

Tehsil: CHURAH

Village 1	Khasra No. 2	Area 3		Bis. 4
		Big.	Bis.	
SURGANI	618/1	2	14	
	667/1	4	11	
	Total ..	7	5	

*Construction of Project road from Baroh to Surgani

No. 4-4/74-Rev. Cell. III-Pong Cell.

Simla-171002, the 29th September, 1977.

SURGANI	456/1	0	6
	458/1	0	2
	485	0	2
	487/1	2	2
	487/1/1	0	15
	Total ..	3	7

Construction of Magazines.

No. 4-4/74-Rev. Cell. III.

Simla-171002, the 29th September, 1977.

DHAR	596/1	0	8
		By order, H. S DUBEY, Secretary.	

TRANSPORT DEPARTMENT NOTIFICATION

Simla-171002, the 6th October, 1977

No. 6-15/76-Tpt.—With reference to Himachal Government Transport Department notification of even number dated 10-8-1976, and in exercise of the powers conferred by sub-section 3B of section 63 of the Motor Vehicles Act, 1939 (Act No. IV of 1939) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to publish the following reciprocal agreement for the North Zone Permit Scheme regarding operation of inter-state goods vehicles (public carriers) covering the States of Bihar, Haryana, Himachal Pradesh, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Jammu & Kashmir and the Union Territories and Chandigarh and Delhi.

AGREEMENT

This agreement made this 25th day of July, one thousand nine hundred and seventy-seven between the Governor of Bihar of the First part, the Governor of Haryana of the Second part, the Governor of Himachal Pradesh of the Third part, the Governor of Punjab of the Fourth

part, the Governor of Rajasthan of the Fifth part, the Governor of Uttar Pradesh of the Sixth part, the Governor of West Bengal of the Seventh part, the Governor of Jammu & Kashmir of the Eighth part, the President of India for and on behalf of the Union Territory of Chandigarh of the Ninth part and the President of India for and on behalf of the Union territory of Delhi of the Tenth part;

Whereas a Special Reciprocal Agreement between the Governments of Bihar, Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Chandigarh and Delhi was entered into on the 31st December, 1973 (as per schedule) and all these Governments agreed to implement the same with effect from 1st day of January, 1974 for a period of 2 years;

And whereas by an Agreement dated the 29th December, 1975 between the parties of the 1st, 2nd, 3rd 4th, 5th, 6th, 7th, 9th, 10th parts, the said parties entered into a Reciprocal Agreement with a view to extend the terms of the Reciprocal Agreement for a further period of 2 year from 1st January 1976 between the States of Bihar, Haryana, Himachal Pradesh, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Chandigarh and Delhi on the terms and conditions in the said Agreement contained;

And whereas the party of the 8th part applied to be joined to participate in the benefits of the said Reciprocal arrangements and the remaining parties have agreed to the same;

It is now mutually agreed between the said ten State Governments in public interest, in partial modification of the Special Reciprocal Agreement dated the 29th December, 1975 to extend the terms of the Special Reciprocal Agreement which shall be in force for a further period of 2 years from 1st January, 1976 notwithstanding and without prejudice to any other Reciprocal Agreement which might have been entered into previously of which may be entered into in future by and between any of the signatory States.

Sd/- Transport Secretary and Works Commissioner, Government of Bihar, Patna.	Sd/- Secretary to Government of Uttar Pradesh, Trans- port Department, Luck- now.
Sd/- Secretary to Govern- ment of Haryana, Transport Department, Chandigarh.	Sd/- Secretary to Government of West Bengal, Home (Transport) Department, Calcutta.
Sd/- Secretary to Govern- ment of Himachal Pradesh, Transport Department, Simla.	Sd/- Secretary to Government of Jammu and Kashmir, Food & Supply and Transport Department, Srinagar.
Sd/- Secretary to Govern- ment of Punjab, Trans- port Department, Chandigarh.	Sd/- Transport Secretary, Chandigarh Adminis- tration, Chandigarh.
Sd/- Secretary to Govern- ment of Rajasthan, Home Department, Jai- pur.	Sd/- Special Secretary, (Transport) Delhi Ad- ministration, Delhi.
	B. C. NEGI, Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं

इत्यादि

कार्यालय उपायुक्त, चम्बा जिला, चम्बा (हिमाचल प्रदेश)

चम्बा-176310, 26 सितम्बर, 1977

अधिसूचना

सं 0 13-पी0 एच0 एम0 14 (188)/76-इलैक.—ग्राम

पंचायत (निर्वाचन) नियम, 1972 के नियम 45 में निहित शक्तियों के अधीन मैं, योगेश खन्ना, उपायुक्त, चम्बा जिला एतद्वारा नीचे दी गई सारणी में वर्णित ग्राम पंचायत के सम्मुख स्तम्भ 2 में दिये गए निर्वाचन क्षेत्रों (वार्डों) से हुए उप-निर्वाचन

द्वारा निर्वाचित सदस्यों (पंचों) के नामों को स्तम्भ 3 से 5 में दिये गए व्योरे के अनुसार जन-साधारण की जानकारी के लिये अधिसूचित करता हूँ :—

सारणी
खण्ड (ब्लॉक) : पांगी तहसील: पांगी जिला: चम्बा

ग्राम पंचायत का नाम	निर्वाचित क्षेत्र का नं० तथा नाम	निर्वाचित सदस्य (पंच) का नाम तथा पूरा पता	अनुसूचित स्त्री या जाति/जन-जाति	पुरुष
1	2	3	4	5

साच	3	श्री गृहलू सुपुत्र अनसूचित पुरुष निहालू, ग्राम जन-जाति। कुमार, डा० साच, तहसील पांगी, जिला चम्बा।		
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योगेश खन्ना,
उपायुक्त।

कार्यालय जिलाधीश हमीरपुर, जिला हमीरपुर, हिमाचल प्रदेश
अधिसूचना
(नियम 29 देखिये)
हमीरपुर, 3 सितम्बर, 1977

नं० एच०एम० आर० 10-3/75/न्याय.—मै, पि० ए० सुब्रतन उपायुक्त हमीरपुर एतद्वारा हिमाचल प्रदेश न्याय पंचायत निर्वाचन नियम 1973 के नियम 29 द्वारा प्राप्त शक्तियों के अन्तर्गत निम्न लिखित सारणी में वर्णित न्याय पंचायत के उप निर्वाचन के निर्वाचन सरपंच के नाम का जनसाधारण हेतु अधिसूचित करता हूँ।

ब्लॉक: नदीन	सारणी	जिला: हमीरपुर
क्रम संख्या	न्याय पंचायत का नाम	निर्वाचित सरपंच का नाम तथा पूरा पता
1	2	3

1	नदीन	जलाड़ी श्री रणवीर सिंह पुत्र शिव दत्त सिंह ग्राम टिलू, तहसील व जिला हमीरपुर।
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पि० ए० सुब्रतन,
उपायुक्त।

OFFICE OF THE DISTRICT MAGISTRATE, KANGRA AT DHARAMSALA NOTIFICATION

Dharamsala, the 27th September, 1977

No. IS-77/3 (46) C.—In supersession of this office notification No. IS-77/3 (46) C, dated 10th August, 1977, and in exercise of the powers conferred upon me under clause 3(i) (d) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, Kanwar Shamsher Singh, District Magistrate, Kangra at Dharamsala, do hereby fix the maximum margin of profit which a dealer may charge in respect of articles shown in the schedule appended hereunder:—

Sl. No.	Article	Margin of profit			
		Whole sale	Retail		
			Urban (a)	Rural (b)	Inaccessible (c)
1	2	3	4	5	6
1.	Foodgrains: Wheat atta, Maize-atta, rice parmal and rice Basmati.	2%	4½%	5%	6%

OFFICE OF THE DEPUTY COMMISSIONER MANDI, DISTRICT MANDI (H.P.).

NOTIFICATION

Mandi, the 24th September, 1977

No. FDS. MND. A. 4(25)/77-8684-8748.—In partial modification of this office notification No. FDS. MND. A4 (25)/77-7362-7426, dated the 10th August, 1977 the name of Shri Dina Nath from Beopar Mandal mentioned against S. No. 13 of the said notification shall be deleted and S. No. 14 to 22 shall be renumbered as S. No. 13 to 21.

Sd/-
Deputy Commissioner.

OFFICE OF THE DEPUTY COMMISSIONER, SIMLA DISTRICT

OFFICE ORDER

Simla-171001, the 30th September, 1977

No. 2809-14.—Whereas Shri Roop Ram, Pradhan, Gram Panchayat, Dharmoon, Tehsil and District Simla has been found guilty of misconduct in the discharge of his duties under section 54(2)(d) of the Himachal Pradesh Panchayati Raj Act, 1968 for which he can be removed from the office of the Pradhan and enquiry is contemplated against him;

And whereas the said Shri Roop Ram was asked vide Notice No. 2170, dated the 17th August, 1977 to show cause within ten days as to why he should not be placed under suspension as required under section 54(1) of the Himachal Pradesh Panchayati Raj Act, 1968 read with rule 77 of the Himachal Pradesh Gram Panchayat Rules, 1971;

And whereas the said Shri Roop Ram, Pradhan, Gram Panchayat, Dharmoon, Tehsil and District Simla has refused to receive the above show cause notice as was issued upon him;

Now, therefore, in exercise of the powers vested in me under section 54(1) of the Himachal Pradesh Panchayati Raj Act, 1968, I, D. P. Singh, Deputy Commissioner, Simla, having considered all the circumstances of the case, hereby place the said Shri Roop Ram under suspension with immediate effect and debar him from taking part in any act or proceedings of the Panchayat during the period of suspension and order him to hand-over the records, money or any property of the said Panchayat to the Up-Pradhan, Gram Panchayat, Dharmoon, Tehsil and District Simla.

D. P. SINGH,
Deputy Commissioner.

1	2	3	4	5	6
2.	Gur, Shakar & Khandsari	2%	5%	6%	7%
3.	Pulses	2%	5%	5½%	6%
4.	Baby food/Milk Powder	As fixed by the manufacturer(s).			
5.	Condensed Milk	-do-			
6.	Tea	-do-			
7.	Bread wrapped (weighing 350 grams)	Rs. 1/- per loaf.			
8.	Match boxes	As fixed by the manufacturer(s).			
9.	Toilet Soaps	-do-			
10.	Battery/Transistor Cells	-do-			
11.	Tyre and Tubes: for Cycles, Motor Cycles, Scooters, Trucks, Buses, Jeeps, Car and Wagons.	-do-			
12.	Electric/Torch Bulbs	-do-			
13.	Washing Soaps.	2%	7%	7½%	8%
14.	All edible oils including Mustard oil	2%	5%	6%	7%
15.	Hydrogenated vegetable Oils. (i) Loose/Tin packing of 16½ kg. (ii) Packed tin 1 kg, 2kg, 4 kg.	1%	2%	2%	2%
		As fixed by the manufacturer(s).			
16.	Spices	—	10%	10%	10%
17.	Salt				
	(i) Iodised Salt.	Rs. 1.40 per quintal.		Rs. 1.40 per quintal.	
	(ii) Mandi Rock Salt.	Re. 1.00 per quintal.		Re. 1.00 per quintal.	
18.	Kerosene Oil	As fixed by the District Magistrate, Kangra.			
19.	Diesel/Petrol	As fixed by the company.			
20.	Cement.				
	(i) Retailers Margin	—		Re. 0.80 per bag.	
	(ii) Unloading/loading at Railway station operationwise including handling charges.	—		Re. 0.15 per bag.	
	(iii) Transportation charges from Railway Station to Godown upto 8 kms. including loading/unloading and stacking charges in the godown.	—		Re. 0.45 per bag.	
	(iv) Godown rent at the place of business	—		Re. 0.20 per bag.	
21.	Coal and Coke (soft coke, hard coke, steam coal and slack coal).	—	9%	9%	9%
22.	Paper and Exercise Books	—	3%	3%	3%
23.	Liquified Petroleum Gas	As fixed by the manufacturer(s).			

I. This order will come into force at once throughout the District.

II. The above margins of profit are applicable on landed cost i.e. purchase price plus freight, octroi, central and local taxes paid by the dealer, dami Ahlat, Dalali, Market fee, if any, and loading and unloading charges actual.

III. The wholesalers/retailers will also be entitled to charge 1% and 2% respectively additionally on account of interest and shortage charges etc. over and above the margin of profits except in respect of Hydrogenated Vegetable Oils.

IV. (i) No wholesaler will transfer any one of his commodities from dealer to dealer at one station/locality of business. Wholesale margin will be charged once at the first stage in a locality.

(ii) Any wholesale dealer selling any one of the above cited commodities in retail shall not charge margin of wholesaler in addition to retailers margin of profit but shall be entitled only to the profit admissible as in case of a retailer.

(iii) All the wholesale/retailsale dealers are required to issue actual cash memo/bills for all sales effected by them in respect of above items.

Note.—Urban, Rural and inaccessible areas of this district exhibited as (a), (b), and (c) respectively in this order, means, as demarcated below:—

- (a) *Urban:* Dharamsala Town including upper Dharamsala, Dari and Yol, Nurpur-Jassur, Shahpur, Kangra Town, Nagrota Bagwan within Municipal limits, Dehra and Jawalaji within Municipal limits, Maranda, Bhawarna, Palampur within Municipal limits and Ghuggar, Baijnath-Paprola and Damtal.
- (b) *Rural:* All the areas of Kangra district other than specified in (a) and (c).
- (c) *Inaccessible:* Chhota and Bara Bhangal areas of Kangra district.

The above demarcation has been made only for the purpose of determining margin of profit on the basis of market value of the area.

SHAMSHER SINGH,
District Magistrate.

INDUSTRIES DEPARTMENT NOTICE UNDER SECTION 24

Chamba, the 24th August, 1977

No. Ind. 8-Loan/1193-93.—Whereas a notice was served on Shri Puran Chand s/o Shri Manakh, village Kundi, P. O. Sunara, District Chamba (H.P.) on 26-5-1977 under section 23 of Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Puran Chand to pay to me the sum of Rs. 10,000/- principal plus Rs. 2686/- interest before 8-9-1977 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 10,000 plus upto date interest is due from the said Shri Puran Chand and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

5th/6th shares of land measuring 0 Bighas 17 Biswas situated in village Kundi, Tehsil Chamba valuing Rs. 13,030/-.

B. S. JASWAL,
Project Officer (Industries), Chamba.

NOTICE UNDER SECTION 24

Chamba, the 29th August, 1977

No. Ind. 8-Loan/1197-97.—Whereas a notice was served on Shri Ram Rattan Gupta s/o Shri Hari Chand Mahajan, Mohalla Kashmiri, Chamba town on 5-4-1977 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Ram Rattan Gupta to pay to me the sum of Rs. 1400/- principal plus Rs. 398.80 interest before 8-9-1977 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 1400/- plus interest is due from the said Shri Ram Rattan Gupta and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Double storeyed house consisting of 2 rooms one kitchen, one verandah and one Bhor standing on land comprised of Khasra No. 1978, 1982 and 1983 situated in Mohalla Kashmiri, Chamba town belonging to the loanee.

B. S. JASWAL,
Project Officer (Industries), Chamba.

NOTICE UNDER SECTION 24

Chamba, the 29th August, 1977

No. Ind. 8-Loan/—Whereas a notice was served on Shri Bhagat Ram s/o Shri Chetu, village and P.O. Mehla, Tehsil and Districts Chamba (H. P.) on 7-7-1974 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said

Shri Bhagat Ram to pay to me the sum of Rs. 875/- as principal plus interest before 30-3-74 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 1900/- principal plus Rs. 1382.85 paise interest is due from the said Shri Bhagat Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

The property of Shri Bhagat Ram loanee and his two sureties S/Shri Sahib s/o Shri Sunder, village Chella (Mehla) and Shri Punnu Ram s/o Shri Chatro, village Mehla Tehsil and District Chamba.

B. S. JASWAL,
Project Officer (Industries), Chamba.

NOTICE UNDER SECTION 24

Chamba, the 29th August, 1977

No. Ind. 8-Loan/1208-8.—Whereas a notice was served on Shri Har Dev s/o Shri Vidya Dhar, village Sahoo, Chamba District on 7-3-1974 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Har dev to pay to me the sum of Rs. 5716/- as principal plus Rs. 1215/- as interest before 28-9-1977 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 5716/- plus interest is due from the said Shri Hardev and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. All assets belonging to the party and properties belonging to the following two sureties:—

- (i) Shri Petamber s/o Shri Vidya Dhar, r/o Chamba.
- (ii) Shri Shanti Datt s/o Shri Chaman Datt, r/o Chamba town.

B. S. JASWAL,
Project Officer (Industries), Chamba.

NOTICE UNDER SECTION 24

Chamba, the 29th August, 1977

No. Ind. 8-Loan/1215-16.—Whereas a notice was served on Shri Hoshiara Ram s/o Shri Dittu, village Bhanota P. O. Chaned, Tehsil and District Chamba on 12-5-1977 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Hoshiara Ram to pay to me the sum of Rs. 714/- as principal plus Rs. 900/- as interest before 20-5-1977 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 5,000/- principal plus Rs. 900/- interest is due from the said Shri Hoshiara Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land measuring 10 bighas 11 biswas comprised in khata No. 25/51, khasra No. 761, 762, 763 and 764 and house comprised in khata No. 25/51 khasra No. 762 and 765 situated at village Bhanauta, Tehsil and District Chamba belonging to the Mortgagor. The said house consists of 3 rooms and one kitchen.

B. S. JASWAL,
Project Officer, (Industries), Chamba.

NOTICE UNDER SECTION 24

Chamba, the 29th September, 1977

No. Ind. 8-Loan/1643-44.—Whereas a notice was served on Shri Lahaka Ram s/o Shri Bhola, r/o village Malara, P. O. Sihunta, Tehsil Bhattiyat, District Chamba on 20-3-1974 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Lahaka Ram to pay to me the sum of Rs. 607+Interest before 31-3-74 and whereas the said sum has not been paid. I hereby declare that the sum of Rs. 1420/60+Interest 1577.20 is due from the said Shri Lahaka Ram and that the property described in the attached in schedule is liable for the satisfaction of the said debt.

SCHEDULE

1/2 share of land measuring 59 bighas and 11 biswas comprising of khasra No. 66, 77, 79, 96, 92, 202 859, 858, 861, 862, 865, 866, 867, 868, 869 and 873 situated at Village Nianhi, Pargana Sihunta, Tehsil Bhattiyat, District, Chamba, Himachal Pradesh.

B. S. JASWAL,
Project Officer, (Industries), Chamba.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-171003, the 29th September, 1977

No. SE-II-R-54-3/77-16166-69.—Whereas it appears to the Governor, Himachal Pradesh that the land is

required to be taken by the Government at public expense for a public purpose, namely for construction of Tidong-Valley road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh, Public Works Department, Kinnaur district, Kalpa.

SPECIFICATION

District: KINNAUR Tehsil: MOORANG

Village	Khasra No.	Area Big.	Bis.
1	2	3	4
MOORANG	2709/2083/1	0	5
	2714/2083/1	0	6
	2705/2083/1	0	5
	2708/2083/1	0	5
	2716/2083/1	0	5
	2706/2083/1	0	5
	2711/2083/1	0	5
	2713/2083/1	0	5
	2718/2083/1	0	5
	2707/2083/1	0	5
	2717/2083/1	0	5
	2712/2083/1	0	5
	2704/2083/1	0	5
	2703/2083/1	0	5
	2710/2083/1	0	5
	2715/2083/1	0	5
	2307/2046/1	0	10
	2487/2046/1	0	16
Total ..	18	6	7

B. L. SHARMA,
Superintending Engineer,
Second Circle H.P.P.W.D., Simla.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर ऑफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

EXCISE AND TAXATION DEPARTMENT

NOTIFICATIONS

Simla-3, the 26th September, 1977

No. 1-8/66-EXN-22762.—In exercise of the powers vested in me under rule 1.20 read with rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, I hereby declare Shri R. S. Datta, Assistant Excise and Taxation Officer, Chamba as Head of Office and Drawing and Disbursing Officer in respect of Class III and Class IV employees of this department posted in Chamba district in place of Shri S. L. Soni, Assistant Excise and Taxation Officer, Chamba (transferred) with immediate effect till further orders under the following Heads of Account:—

(1) A—General Services

(iii) Collection of Commodities and Services.
245—Other Taxes and Duties on Commodities and Services.

(A) Collection Charges—Tax on Goods and Passengers.

(i) Expenditure on District Establishment.

(2) A—General Services

239—State Excise
Direction and Administration
Expenditure on District Establishment.

The aforesaid officer will also function as Controlling Officer for T. A. and D. A. and other Contingencies in respect of Class III and Class IV employees of his office.

K. N. KASHYAP,
Commissioner.

FINANCE DEPARTMENT

(TREASURIES AND ACCOUNT, ORGANISATION)

NOTIFICATION

Simla-171002, the 28th September, 1970

No. 20-28/68-Fin. (T&A).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf and in supersession of this office notification of even number, dated 9th May, 1977 the Governor,

Himachal Pradesh is pleased to make the following rules, further to amend the Recruitment and Promotion Rules, 1974 in respect of class III Non-Gazetted posts of Assistant Treasury Officers and Senior Auditors (OB) under the Administrative Control of Himachal Pradesh Government notified *vide* notification of even number, dated the 13th May, 1974 namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class III Non-Gazetted posts of Assistant Treasury Officers and Senior Auditors (Ordinary Branch) First Amendment Rules, 1977.

(ii) These shall come into force with effect from the date of their publication in the Himachal Pradesh Rajpatra.

2. *Addition of proviso below note 8 of the Recruitment and Promotion rules in respect of class III Non-Gazetted posts of Assistant Treasury Officers.*—Below note 8 of the Recruitment and Promotion Rules in respect of class III Non-Gazetted posts of Assistant Treasury Officers, the following proviso shall be added, namely:—

Provided that all the incumbents to be considered for promotion/confirmation should possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post/service, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation on account of the requirement prescribed in the proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

Simla-171002, the 28th September, 1977

No. 20-28/68-Fin (T&A).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf and in supersession of this office notification of even number dated 9th May, 1977, the Governor, Himachal Pradesh is pleased to make the following rules, further to amend the Recruitment and Promotion Rules, 1974, in respect of Class III Non-Gazetted posts of Assistant Superintendent (Treasury), Senior Assistants and Assistants under the administrative control of the Government of Himachal Pradesh, Finance Department (in the Treasuries and Accounts Organisation) notified *vide* notification of even number dated the 13th May, 1974, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class III Non-Gazetted posts of Assistant Superintendent (Treasury), Senior Assistants and Assistants (First Amendment) Rules, 1977.

(ii) They shall come into force with effect from the date of their publication in the Himachal Pradesh Rajpatra.

2. *Addition of proviso below note (2) of the Recruitment and Promotion Rules in respect of Class III Non-Gazetted posts of Assistant Superintendent (Treasury), Senior Assistants and Assistants.*—Below note (2) of the Recruitment and Promotion Rules in respect of Class III Non-Gazetted posts of Assistant Superintendent (Treasury), Senior Assistants and Assistants, the following proviso shall be added, namely:—

Provided that all incumbents to be considered for promotion/confirmation should possess the minimum

qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post/service, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

Simla-171002, the 28th September, 1977

No. 20-28/68-Fin. (T&A).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf and in supersession of this office notification of even number dated 9th May, 1977 the Governor, Himachal Pradesh is pleased to make the following rules, further to amend the Recruitment and Promotion Rules, 1974, in respect of Class II Non-Gazetted posts of Clerks, Steno-typist, and Assistant Treasurers/Sub-Treasurers under the administrative control of Himachal Pradesh Government, Finance Department (in the Treasuries and Accounts Organisation) notified *vide* notification of even number dated the 23rd November, 1973, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class II Non-Gazetted posts of Clerks, Steno-typist, and Assistant Treasurers/Sub-Treasurers (First Amendment) Rules, 1977.

(ii) They shall come into force with effect from the date of their publication in the Himachal Pradesh Rajpatra.

2. *Addition of proviso below note (2) of the Recruitment and Promotion Rules in respect of Class II Non-Gazetted posts of Clerks, Steno-typist and Assistant Treasurers/Sub-Treasurers.*—Below note (2) of the Recruitment and Promotion Rules in respect of Class II Non-Gazetted posts of Clerks, Steno-typist, and Assistant Treasurers/Sub-Treasurers, the following proviso shall be added, namely:—

Provided that all incumbents to be considered for promotion/confirmation should possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post/service, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

Simla-171002, the 28th September, 1977

No. 20-28/68-Fin. (T&A).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf and in supersession of this office notification of even number dated the 9th May, 1977, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules, 1974, in respect of Class II Gazetted posts of Assistant Accounts Officers and Superintendent under the administrative control of the Himachal Pradesh Government, Finance Department (in the Treasuries and Accounts Organisation) notified *vide* notification of even number dated the 13th May, 1974, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class II Gazetted Posts of Assistant Accounts Officers and Superintendent (First Amendment) Rules, 1977.

(ii) They shall come into force with effect from the date of their publication in the Himachal Pradesh Rajpatra.

2. Addition of proviso below note 8 of the Recruitment and Promotion Rules in respect of Class II Gazetted posts of Assistant Accounts Officers and below note 4 of the Recruitment and Promotion Rules in respect of Class II Gazetted post of Superintendent.—Below note 8 of the Recruitment and Promotion Rules in respect of Class II Gazetted posts of Assistant Accounts Officers and below note 4 of the Recruitment and Promotion Rules in respect of Class II Gazetted post of Superintendent, the following shall be added, namely:—

Provided that all incumbents to be considered for promotion/confirmation should possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post/service, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the persons(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

Y. L. RAJWADE,
Finance Secretary.

FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT CORRIGENDUM

Simla-2, the 3rd October, 1977

No. 17-8/72-SF.—Please add the words "pertaining to or relating to" between the words "grant" and "subsequent year" occurring in the last line of Rule-5(iii) in the rules regulating the grant-in-aid to the Himachal Pradesh University notified vide this department notification No. 17-8/72-SF, dated 7-3-1977.

By order,
R. C. GUPTA,
Secretary.

GENERAL ADMINISTRATION DEPARTMENT (C-SECTION) NOTIFICATION

Simla-171002, the 4th October, 1977

No. 7-44/73-GAD.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following amendments in "the Himachal Pradesh General Administration Department (Estate Office) Class-III Service Rules, 1973" relating to the Recruitment, Promotion and Certain Conditions of the Class-III Services of the Estate Office, Himachal Pradesh, notified vide notification of even No. dated 11-2-1974 and 21-1-1977, namely:—

Short title and commencement.—(1) These rules may be called the Himachal Pradesh, General Administration Department (Estate Office) Class-III Service (Second amendment) Rules, 1977.

2. They shall come into force with immediate effect.

AMENDMENTS

- (i) The words "(Accounts Clerk)" appearing after the word "Assistant" in Rule 5 (a) and 5 (b) of Himachal Pradesh, General Administration Department (Estate Office) Class-III Service Rules, 1973 hereinafter referred to as the said rules, shall be deleted.
- (ii) The words "(Accounts Clerk)" appearing against Sl. No. 3 after the word "Assistant" in Appendix 'A' appended to the said Rules, shall be deleted.

B. D. SHAUNAK,
Deputy Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

शुन्य

भाग 5—व्यक्तिगत अधिसूचनाएं और विज्ञापन

बन्धुदालत श्री ओ 0 पी 0 शर्मा, सीनियर सब-जज, कांगड़ा स्थित धर्मशाला (कांगड़ा कैप)

सी 0 एस 0 नं 0 6 आर 1977

1. देश राज 2. भगवान दास पिसरान ईशवर दास सुपुत्र सिधू राम, जात ब्राह्मण, सकना बूली कोठी, मौजा पपरोला, तहसील पालमपुर, जिला कांगड़ा .. सायलान।

वनाम

जनरल पब्लिक

मुकदमा मुन्धजा उनवान बाला में साईलान ने दरह्वास्त बराए हसूल सर्टीफिकेट जानशीनी तरका ईशर दास सुपुत्र सिधू राम, जात ब्राह्मण सकना बहली कोठी, मौजा पपरोला, तहसील पालमपुर अदालत हजा में गुजारी है। लिहाजा बजरिया इशतहार हजा हर खास व भ्राम को मुतलाह किया जाता है कि जो कोई शख्स बाबत दिये जाने सर्टीफिकेट वरम सायलान के उजर रखता हो तो तिथि 26-12-77 बबक्त 10 बजे पेश अदालत करे बाद में कोई उजर काबले शमायत न होगा।

आज बतारीख 28-9-1977 को मेरे दन्तबत और मोहर अदालत से जारी किया गया।

ओ 0 पी 0 शर्मा,
सीनियर सब-जज।

PROCLAMATION UNDER ORDER, 5 RULE
20 C.P.C.

In the Court of Shri J. N. Barowalia, Sub-Judge
III Class, Una

Sat Pal Versus Harnam Singh.

CIVIL SUIT NO. 176 OF 1977

Versus:—Hans Raj s/o Kirpoo Harijan r/o Village Kanyar, Tehsil Amb, District Una.

Whereas in the above noted case, it has proved to the satisfaction of this Court that the above noted defendants is/are availing the service of the summons and cannot be served in the normal course of service. Hence this proclamation Publication is here issued against him/them to appear in this court on the date fixed for hearing on 25-10-1977 at 10 A.M. personally or through an authorised agent or pleader to defend the case. Failing which *ex parte* proceedings will be taken against him/them.

Given under my hand and seal of the court this 24th day of September 1977.

Seal.

J. N. BAROWALIA,
Sub-Judge.

PROCLAMATION UNDER ORDER 5 RULE 20
C. P. C.

In the Court of Shri J. N. Barowalia, Sub-Judge
III Class Una

CIVIL SUIT No. 115

Ram Swroop

Versus

Sita Ram

Versus:—Sita Ram s/o Thunjan (3) Sohnoon s/o Bhagwana, caste Brahman, r/o village Jokhera, P.S. Tehsil and District Una.

Whereas in the above noted case, it has proved to the satisfaction of this Court that the above noted defendants is/are availing the service of the summons and cannot be served in the normal course of service. Hence this proclamation (Publication) is hereby issued against him/them to appear in this court on the date fixed for hearing on 25-10-1977 at 10 A.M. personally or through an authorised agent or pleader to defend the case. Failing which *ex parte* proceedings will be taken against him/them.

Given under my hand and seal of the court this 24th day of September, 1977.

Seal.

J. N. BAROWALIA,
Sub-Judge Una.

व अदालत कुमारी आर० के० रंधावा, एसिस्टेंट कुलैक्टर, दर्जा
अवल साहिब, घुमारवीं, जिला बिलासपुर (हि० प्र०)

इशतहार जेर आर्डर 5, रूल 20, मजमुआ जाब्ला दिवानी

कुसी पुत्र नयू, जात राजपूत, साकिन छत, परगना मुनहानी,
तहसील घुमारवीं

बनाम

1. श्री बलन्त राम, 2. प्रताप सिंह, 3. केहर सिंह सपुवान
व 4. मु० देवकी देवी, 5. कृष्णी देवी, 6. कलासी देवी पुत्रीयान
गोपाला, साकिन जजरी तप्पा डटवाल, तहसील व जिला हमीरपुर
प्रतिवादी अमल 7. मुनशी, 8. धनू मुपुत्र लच्छमन, जात खनरी,
साकिन छत, परगना मुनहानी प्रतिवादी तरदोदी।

दख्खास्त फक उल रहन अराधी तादादी 5 वीचे 6 विस्वे वाक्या
मोजा छत, परगना मुनहानी।

उपरोक्त मुकदमा में प्रतिवादी नं० 4, 5, 6, 7 व 8 को अदालत हजा से कई बार समन जारी किये गये मगर बिना तामील वापस आये उपरोक्त प्रतिवादीगण को बजरिया रजिस्ट्री भी समन भेजे गये मगर तामील न हो नगी। अदालत हजा को विश्वास हो गया है कि प्रतिवादी नं० 4 ता 8 पर तामील समन होनी कठिन है। अतः प्रतिवादी नं० 4 ता 8 को बजरिया इशतहार सूचित किया जाता है कि उपरोक्त मुकदमा की पैरवी के लिए असासलतन या बकालतन मिति 28-10-77 को युवह 10 बजे हाजर अदालत ीके अग्यथा कार्यवाई जावता अमल में लाई जावेगी।

आज बतारीख 28-9-77 को दस्तखत हमारे व मोहर अदालत के जारी किया गया।

मोहर।

आर० के० रंधावा,
एसिस्टेंट कुलैक्टर दर्जा अवल।

व अदालत श्री लाल चन्द चौहान, सहायक कुलैक्टर, द्वितीय दर्जा, अर्की,
जिला सोलन, हि० प्र०।

मुकदमा नं० 76/77

सेहल गरदावरी

सूरत राम

बनाम

सर्वश्री बिहारी बेटा धनीराम, बलिया, साध बेटे शिवू, रामसरन, रामसिंह, धान दत्त बेटे छपलू, शावणू बेटा ग्यारू, चेताराम, चनू, धन्ना लाल, लेखाराम बेटे शावणू, लटूरिया बेटा ग्यारू, ईगाराम बेटा लटूरिया, तुलसिया बेटा रणलू, सुरजु बेटा बजीरू, दिलाराम, बल्लू बेटे किला, खिडू पुत्री किला गुलाबा बेटा धनैया, झोरू पुत्री धनैया, लाला बटा फकीरू, फाजू बेटा कनू, नंदू, लाभ चन्द बेटे मसदी, फुलमू बेटा निकू, बरडू, चंदू, मोती, रामसिंह पुत्र नरायण, धर्मसिंह बेटा फुलमू गणेशू, परस राम बेटे सुदागर, दीलत राम बेटा हजारू, देवी राम, देवी चन्द बेटे गोकुल, लेखाराम बेटा देवीशरण, गुलाबा, बेटा गुरमुख, लेखाराम बेटा गुलाबा, मालती बेवा नरायण, कांसू बेटा नगीला, ठाकूरिया बेटा आलमू हिहू, बसंता बेटे रामा, दलारू, बेवा झाडू उर्फ सुरजु मथरा बेटा, सरस्वती पुत्री झाडू उर्फ सुरजु धनीराम बेटा बरडू, खेमचन्द, चेताराम बेटे निकू, परमानन्द, दिलू बेटे नरपत, द्रौपती बेटी मोहन, भाऊ उर्फ गोबिन्द बेटा काना, दुर्गा, बालक राम जमनू बेटे गौरीया, शकरू पुत्री गौरीया, शिवराम, नंदू, लाभचन्द बेटे, रामकू बाहरू बेटियां मसदी, दिलाराम, बलिया, गोपाल बेटे, राधू, कृष्णी पुत्री गणपत, कांशी राम, गोविन्द बेटे, कमला पुत्री, दारकू श्रीरत भगतीया मसकू, जमना बंतु पुत्री, अजुध्या श्रीरत सावणू कोलका, प्र० कोलका तहसील अर्की सानियान।

उपरोक्त फरीक सानियान की तामील आसान तरीके पर होनी नामुमकीन है। अतः बजरिया इशतहार सुतलाह किया जाता है कि यह फरीकसानियान असासलतन या बकालतन तारीख 1-11-77 मुकाम अर्की हाजिर आवें। अदम हाजरी कारवाई हस्ब जावता अमल में लाई जावेगी।

आज तारीख 3 अक्टूबर, सन् 1977 को हमारे दस्तखत व मोहर अदालत से जारी हुआ।

मोहर।

लालचन्द चौहान,
सहायक कुलैक्टर।

HIMACHAL PRADESH MARKETING BOARD
(MARKET COMMITTEE)

NOTIFICATION

Simla-1, the 3rd October, 1977

No. HMB/43/76-2436.—In exercise of the powers conferred by sub-section (2 & 3) of section 10 of the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) and all other powers enabling the Board in this behalf, the Himachal Pradesh Marketing

Board, appoint the persons mentioned in the columns 2, 3 and 4 of the schedule as members of Market Committee, Kulu:—

SCHEDULE			
Name of the Market Committee	Producer Member	Dealer Member	Official Member
1	2	3	4
Kulu	1. Shri Bhagat Ram Thakur, Village Gurdorh, P. O. Larankelo, District Kulu, Himachal Pradesh.	Three licensed dealers will be nominated later on.	1. Deputy Commissioner, District Kulu, Himachal Pradesh.
	2. Shri Mehar Chand, Village Rangri, P. O. Sarsai, District Kulu.		
	3. Shri Pude Ram Thakur, village Lami Bagh.		

P.O. Katrain, District Kulu, Himachal Pradesh.

4. Shri Lal Chand Thakur, Village Phura, P. O. Jahatma, District Lahaul and Spiti, Himachal Pradesh.

5. Shri Surinder Thakur s/o Shri Partap Chand Thakur, Village Khangsar (Keylong) P. O. Gemur, District Lahaul and Spiti, Himachal Pradesh.

I. S. KINGRA,
Chairman.

भाग 6—भास्तीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Simla-171002, the 14th June, 1977

No. LLR-E (9) 17/77.—The following Acts recently passed by Parliament which have already been published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Food Corporations (Amendment) Act, 1977 (12 of 1977).
2. The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Act, 1977 (13 of 1977).
3. The Prevention of Publication of Objectionable Matter (Repeal) Act, 1977 (14 of 1977).
4. The Parliamentary Proceedings (Protection of Publication) Act, 1977 (15 of 1977).
5. The Disputed Elections (Prime Minister and Speaker) Act, 1977 (16 of 1977).
6. The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Act, 1977 (17 of 1977).

M. C. PADAM,
Under Secretary (Judicial).

Assented to on 11-4-1977.

THE FOOD CORPORATIONS (AMENDMENT) ACT, 1977

(Act No. 12 of 1977)
AN

ACT

further to amend the Food Corporations Act, 1964.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Food Corporations (Amendment) Act, 1977.

(2) It shall be deemed to have come into force on the 31st day of December, 1976.

2. *Amendment of section 12A.*—In section 12A of the Food Corporations Act, 1964 (37 of 1964) hereinafter referred to as the principal Act) —

(i) in sub-section (3), for the words, brackets and figures "subject to the provisions of sub-sections (4), (5) and (6)", the words, brackets, figures and letters "subject to the provisions of sub-sections (4), (4A), (4B), (4C), (5) and (6)" shall be substituted;

(ii) after sub-section (4), the following sub-sections shall be inserted, namely:—

“(4A) Notwithstanding anything contained in sub-section (4),—

(a) every officer or other employee in respect of whom an order of transfer under sub-section (1) had been made before the date of commencement of the Food Corporations (Amendment) Act, 1977 (hereafter in this section referred to as the appointed day) shall, whether or not he had exercised the option under sub-section (4) before the appointed day, exercise such option within six months from the appointed day; and

(b) every officer or other employee in respect of whom an order of transfer under sub-section (1) may be made after the appointed day shall, within six months from the date of such order, exercise his option under sub-section (4).

and in each such case such option once exercised shall be final:

Provided that where an officer or other employee having exercised an option under sub-section (4) before the appointed day—

(i) has died or retired before the appointed day, or dies or retires after the appointed day, before exercising the option as required by this sub-section, or

(ii) does not exercise the option as required by this sub-section,

the option already exercised by him shall be deemed to have been validly exercised by him under sub-section (4).

(4B) Where an officer or other employee—

(a) has died or retired, or dies or retires, after an order of transfer under sub-section (1) in respect of such officer or other employee is made but before exercising the option under sub-section (4) or, as the case may be, as required by sub-section (4A); or

(b) has died or retired, or dies or retires, before an order of transfer under sub-section (1) in respect of such officer or other employee is made,

he shall, notwithstanding anything contained in sub-section (4) or sub-section (4A),—

(i) in a case falling under clause (a), be deemed to have exercised an option under sub-section (4); and

(ii) in a case falling under clause (b), be deemed to have been transferred under sub-section (1) and exercised an option under sub-section (4),

to be governed by the leave, provident fund, retirement or other terminal benefits admissible to the employees of the Central Government in accordance with the rules and orders of the Central Government as amended from time to time:

Provided that nothing in clause (a) of this sub-section shall apply to an officer or other employee who has, before the appointed day, been paid the terminal benefits as admissible to the employees of the Corporation under the regulations made by the Corporation under this Act, unless such officer or other employee refunds in a lump sum within six months from the appointed day the amount of contributions made by the Corporation towards such terminal benefits:

Provided further that nothing in clause (b) of this sub-section shall apply to an officer or other employee who has intimated, under the proviso to sub-section (1), his intention of not becoming an employee of the Corporation.

(4C) Where an officer or other employee has exercised an option under sub-section (4), or exercises, or is deemed to have exercised, an option under that sub-section, read with sub-section (4A) or sub-section (4B), to be governed by the leave, provident fund, retirement or other terminal benefits admissible to the employees of the Central Government, such benefits shall be calculated on the basis of the pay and allowances drawn by him in the Corporation.”.

3. *Repeal and saving* (1).—The Food Corporation (Amendment) Ordinance, 1976 (16 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Assented to on 18-4-1977

THE PETROLEUM PIPELINES (ACQUISITION OF
RIGHT OF USER IN LAND) AMENDMENT
ACT, 1977
(ACT NO. 13 OF 1977)

AN

ACT

to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement*.—(1) This Act may be called the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Act, 1977.

(2) It shall be deemed to have come into force on 3rd day of February, 1977.

2. *Amendment of long title*.—In the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the principal Act), in the long title, for the words “for laying petroleum pipelines”, the words “for laying pipelines for the transport of petroleum and minerals” shall be substituted.

3. *Amendment of section 1*.—In section 1 of the principal Act, in sub-section (1), for the words “Petroleum Pipelines”, the words “Petroleum and Minerals Pipelines” shall be substituted.

4. *Amendment of section 2*.—In section 2 of the principal Act,—

(i) in clause (a), the following words shall be inserted at the end, namely:—

“and different persons or authorities may be authorised to perform all or any of the functions of the competent authority under this Act in the same area or different areas specified in the notification”;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(ba) “minerals” have the meanings assigned to them in the Mines Act, 1952 (35 of 1952) and include mineral oils and stowing sand but do not include petroleum”;

5. *Amendment of section 3*.—In section 3 of the principal Act, in sub-section (1), after the words “transport of petroleum”, the words “or any mineral” shall be inserted.

6. *Amendment of section 4*.—In section 4 of the principal Act, after the words “for transporting petroleum”, the words “or any mineral” shall be inserted.

7. *Amendment of section 6*.—In section 6 of the principal Act,—

(i) in sub-sub-section (1),—

(a) for the words “submit a report accordingly to the Central Government”, the words, brackets and figures “either make a report in respect of the land described in the notification under sub-section (1) of section 3, or make different report in respect of different parcels of such land, to the Central Government containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government” shall be substituted;

(b) after the words “the Central Government shall”, the words, “if satisfied that such land is required for laying any pipeline for the transport of petroleum or any mineral,” shall be inserted;

(c) the words, brackets and figures “and different declarations may be made from time to time in respect of different parcels of the land described in the notification issued under sub-section (1) of section 3, irrespective of whether one report or different reports have been made by the competent authority under this section” shall be inserted at the end;

(ii) in sub-section (2), for the words “in the land”, the words “in the land specified therein” shall be substituted;

(iii) in sub-section (3), for the words "no declaration under this section has been published", the words "no declaration in respect of any parcel of land covered by that notification has been published under this section" shall be substituted;

(iv) after sub-section (3), the following sub-section shall be inserted, namely:—

(3A) No declaration in respect of any land covered by a notification issued under sub-section (1) of section 3, published after the commencement of the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Act, 1977, shall be made after the expiry of three years from the date of such publication".

8. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (1),—

(i) in clause (i), the word "and" at the end shall be omitted;

(ii) after clause (i), the following clause shall be inserted, namely:—

"(ia) for laying pipelines for the transport of petroleum, it shall be lawful for any person authorised by the Central Government or such State Government or corporation to use such land for laying pipelines for transporting any mineral and where the right of user in any land has so vested for laying pipelines for transporting any mineral, it shall be lawful for such person to use such land for laying pipelines for transporting petroleum or any other mineral; and".

9. *Amendment of section 9.*—In section 9 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) Where the owner or occupier of the land with respect to which a declaration has been made under sub-section (1) of section 6,—

(a) constructs any building or any other structure, or
(b) constructs or excavates any well, tank, reservoir or dam, or

(c) plants any tree,
on that land, the Court of the District Judge within the local limits of whose jurisdiction such land is situate may, on an application made to it by the competent authority and after holding such inquiry as it may deem fit, cause the building, structure, reservoir, dam or tree to be removed or the well or tank to be filled up, and the costs of such removal or filling up shall be recoverable from such owner or occupier in the same manner as if the order for the recovery of such costs were a decree made by that Court."

10. *Amendment of section 17.*—In section 17 of the principal Act,—

(i) in sub-section (1), for the word "purposes", the word "provisions" shall be substituted;

(ii) in sub-section (3), for the words "before the expiry of the session in which it is so laid or the successive sessions aforesaid", the words "before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

11. *Repeal and saving.*—(1) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 (2 of 1977) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

Assented to on 18-4-1977.

THE PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER (REPEAL) ACT, 1977

(ACT No. 14 of 1977)

AN

ACT

to repeal the Prevention of Publication of Objectionable Matter Act, 1976.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Prevention of Publication of Objectionable Matter (Repeal) Act, 1977.

2. *Repeal of Act.*—The Prevention of Publication of Objectionable Matter Act, 1976 (27 of 1976), is hereby repealed.

Assented to on 18-4-1977.

THE PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) ACT, 1977

(ACT No. 15 of 1977)

AN

ACT

to protect the publication of reports of proceedings of Parliament.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Parliamentary Proceedings (Protection of Publication) Act, 1977.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 25th day of March, 1977.

2. *Definition.*—In this Act, "newspaper" means any printed periodical work containing public news or comments on public news, and includes a news-agency supplying material for publication in a newspaper.

3. *Publication of reports of Parliamentary proceedings privileged.*—(1) Save as otherwise provided in sub-section (2), no person shall be liable to any proceedings, civil or criminal, in any court in respect of the publication in a newspaper of a substantially true report of any proceedings of either House of Parliament, unless the publication is proved to have been made with malice.

(2) Nothing in sub-section (1) shall be construed as protecting the publication of any matter, the publication of which is not for the public good.

4. *Act also to apply to Parliamentary proceedings broadcast by wireless telegraphy.*—This Act shall apply in relation to reports or matters broadcast by means of wireless telegraphy as part of any programme or service provided by means of a broadcasting station situate within the territories to which this Act extends as it applies in relation to reports or matters published in a newspaper.

Assented to on 18-4-1977.
**THE DISPUTED ELECTIONS (PRIME MINISTER
 AND SPEAKER) ACT, 1977**
 (ACT NO. 16 OF 1977)
 AN
 ACT

to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith.

BE it enacted by Parliament in the twenty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Disputed Elections (Prime Minister and Speaker) Act, 1977.

(2) It shall be deemed to have come into force on the 3rd day of February, 1977.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Authority” means an authority constituted under section 4 of the trial of a petition;

(b) “Candidate” means a person who has been or claims to have been duly nominated as a candidate at any election;

(c) “costs” means all costs, charges and expenses of, or incidental to, a trial of a petition under this Act;

(d) “election” means an election in the case of Prime Minister or in the case of Speaker;

(e) “election in the case of Prime Minister” means an election to either House of Parliament of a person who holds the office of Prime Minister at the time of such election or is appointed as Prime Minister after such election;

(f) “election in the case of Speaker” means an election to the House of the People of a person who holds the office of Speaker at the time of such election or is chosen as the Speaker for the House after such election;

(g) “petition” means a petition calling in question an election;

(h) “prescribed” means prescribed by rules made under this Act;

(i) “returned candidate” means a candidate whose name has been published under section 67 of the Representation of the People Act, 1951, (43 of 1951); as duly elected at an election in the case of Prime Minister or, as the case may be, an election in the case of Speaker;

(j) each¹ of the expressions defined in the Representation of the People Act, 1951 (43 of 1951), but not defined in this Act shall have the same meaning as in that Act.

CHAPTER II

AUTHORITIES FOR DISPUTED ELECTIONS

3. *Petitions in respect of disputed elections.*—No election shall be called in question except by a petition presented in accordance with the provisions of this Act.

4. *Authority to try a petition.*—(1) Every petition shall be tried by an Authority, constituted for the

purpose by the Central Government by notification in the Official Gazette.

(2) The Authority shall consist of a single member, who is a Judge of the Supreme Court, to be nominated in this behalf by the Chief Justice of India.

(3) If for any reason a vacancy occurs in the office of member aforesaid, the Chief Justice shall as soon as practicable, nominate a person to fill the vacancy, and thereupon the trial of the petition shall be continued as if that member had been the Authority from the commencement of the trial of such petition:

Provided that the Authority may, if it thinks fit, recall and re-examine any of the witnesses already examined.

CHAPTER III

PRESENTATION OF PETITIONS IN RESPECT OF DISPUTED ELECTIONS

5. *Presentation of petition.*—(1) A petition calling in question any election may be presented on one or more of the grounds specified in sub-section (1) of section 100 and section 101 of the Representation of the People Act, 1951 (43 of 1951), to the Election Commission by any candidate at such election or any elector within forty-five days from, but not earlier than, the date of election of the returned candidate, or if there are more returned candidates than one at the election and the dates of their election are different, the last of those dates:

Provided that a petition calling in question the election of a person who does not hold the office of Prime Minister or, as the case may be, Speaker of the House of the People at the time of such election and who is appointed or chosen to that office after such election but before the expiry of the time for presenting such election petition, may be presented within forty-five days from the date on which such person was appointed as the Prime Minister or chosen as the Speaker of the House of the People.

Explanation.—In this sub-section, “elector” means a person who was entitled to vote at the election to which the petition relates, whether he has voted at such election or not.

(2) A petition shall be deemed to have been presented to the Election Commission when it is delivered to the Election Commission or to such other officer as may be appointed by it in this behalf—

(a) by the person making the petition, or

(b) by a person authorised in writing in this behalf by the person making the petition.

(3) Every petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and one more copy for the use of the Election Commission, and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition.

(4) At the time of presenting a petition, the petitioner shall deposit with the Election Commission, in such manner as may be prescribed a sum of two thousand rupees as security for costs.

(5) The Authority trying a petition may at any time during the course of the trial of the petition call upon the petitioner to give such further security for costs as it may direct.

(6) No person shall be entitled to be joined as a respondent to a petition under sub-section (3) of section 10 unless he has given such security for costs as the Authority may direct.

6. *Parties to the petition.*—A petitioner shall join as respondent to his petition—

(a) where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner, and where no such further declaration is claimed, all the returned candidates; and

(b) any other candidate against whom allegation of any corrupt practice are made in petition.

7. *Contents of petition.*—(1) A petition—

(a) Shall contain a concise statement of the material facts on which the petitioner relies;

(b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908, (5 of 1908) for the verification of pleadings :

Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

8. *Relief that may be claimed by the petitioner.*—A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected.

9. *Procedure on receiving petitions.*—(1) The Election Commission shall, as soon as may be after the receipt of a petition under section 5, forward it to the Authority for trying the petition.

(2) Where more petitions than one have been received under section 5 in respect of the same election, the Election Commission shall forward them to the Authority and such Authority may, in its discretion, try them separately or in one or more groups.

CHAPTER IV

TRIAL OF PETITIONS

10. *Trial of Petitions.*—(1) Subject to any rules made in this behalf, the Authority for the trial of any petition shall hold the trial at New Delhi.

(2) The Authority shall dismiss the petition—

(a) If the petition has not been presented within the period specified in sub-section (1) of section 5;

(b) if the petition does not comply with the provisions of sub-section (3) or sub-section (4) of section 5 or section 6.

Explanation.—An order dismissing a petition under this sub-section shall be deemed to be an order made under clause (a) of section 16.

(3) Any candidate not already a respondent to a petition shall, upon application made by him to the authority within fourteen days from the date of commencement of the trial and subject to any order as to

security for costs which may be made by the Authority, be entitled to be joined as a respondent.

Explanation.—For the purposes of this sub-section and of section 15, the trial of a petition shall be deemed to commence on the date fixed for the respondents to appear before the Authority and answer the claim or claims made in the petition.

(4) The Authority may, upon such terms as to costs and otherwise as it may deem fit, allow the particulars of any corrupt practice alleged in the petition to be amended or amplified in such manner as may in its opinion be necessary for ensuring a fair and effective of the petition, but shall not allow any amendment of the petition which will have the effect of introducing particulars of a corrupt practice not previously alleged in the petition.

(5) The trial of a petition shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion, unless the Authority finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(6) Every petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of commencement of the trial.

11. *Procedure before the Authority.*—(1) Subject to the provisions of this Act and of any rules made thereunder, every petition shall be tried by the Authority, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (5 of 1908) to the trial of suits:

Provided that the Authority shall have the discretion to refuse, for reasons to be recorded in writing, to examine any witness or witnesses, if it is of the opinion that the evidence of such witness or witnesses is not material for the decision of the petition or that the party tendering such witness or witnesses is doing so on frivolous grounds or with a view to delay the proceedings.

(2) For the purpose of any such trial, the Authority shall have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents;

(f) such other matters as may be prescribed.

(3) The provisions of the Indian Evidence Act, 1872 (1 of 1872), shall, subject to the provisions of this Act, be deemed to apply in all respects to the trial of a petition.

(4) Any proceeding before the Authority shall be deemed to be a judicial proceeding within the meaning of section 193 of the Indian Penal Code (45 of 1860).

12. *Secrecy of voting not to be infringed.*—No witness or other person shall be required to state for whom he has voted at an election.

13. *Answering of criminal questions and certificate of indemnity.*—(1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in the trial of a petition upon the

ground that the answer to such question may criminate or may tend to criminate him, or that it may expose or may tend to expose him to any penalty or forfeiture:

Provided that—

(a) a witness, who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the Authority; and

(b) an answer given by a witness to a question put by or before the Authority shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any civil or criminal proceeding.

(2) When a certificate of indemnity has been granted to any witness, it may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IXA of the Indian Penal Code (45 of 1860), or Part VII of the Representation of the People Act 1951, (43 of 1951), arising out of the matter to which such certificate relates, but it shall not be deemed to relieve him from any disqualification in connection with an election imposed by this Act or any other law.

14. *Expenses of witnesses.*—The reasonable expenses incurred by any person in attending to give evidence before the Authority may be allowed by it to such person, and shall, unless the Authority otherwise directs, be deemed to be part of the costs.

15. *Recrimination when seat claimed.*—(1) When in a petition a declaration that any candidate other than the returned candidate has been duly elected is claimed, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented calling in question his election:

Provided that the returned candidate or such other party, as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of commencement of the trial, given notice to the Authority of his intention to do so and has also given the security and the further security referred to in sub-sections (4), (5) and (6) respectively of section 5.

(2) Every notice referred to in sub-section (1) shall be accompanied by the statement and particulars required by section 7 in the case of a petition and shall be signed and verified in like manner.

16. *Decision of the Authority.*—At the conclusion of the trial of a petition the Authority shall make an order—

(a) dismissing the petition; or

(b) declaring the election of all or any of the returned candidates to be void; or

(c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.

17. *Other orders to be made by the Authority.*—(1) At the time of making an order under section 16, the Authority shall also make an order—

(a) where any charge is made in the petition of any corrupt practice having been committed at the election, recording—

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election, and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that practice; and

(b) fixing the total amount of costs payable and specifying the persons by and to whom costs shall be paid:

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of clause (a) unless—

(a) he has been given notice to appear before the Authority and to show cause why he should not be so named; and

(b) if he appears in pursuance of the notice, he has been given an opportunity of cross examining any witness who has already been examined by the Authority and has given evidence against him, of calling evidence in his defence and of being heard.

(2) In this section and in section 18, the expression "agent" has the same meaning as in section 123 of the Representation of the People Act, 1951 (43 of 1951).

18. *Grounds for declaring election to be void.*—(1) Subject to the provisions of sub-section (2), if the Authority is of opinion—

(a) that on the date of his election a returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under the Constitution or the Representation of the People Act, 1951 (43 of 1951), or this Act or the Government of Union Territories Act, 1963 (20 of 1963); or

(b) that any corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of a returned candidate or his election agent; or

(c) that any nomination has been improperly rejected; or

(d) that the result of the election, in so far as it concerns the returned candidate, has been materially affected—

(i) by the improper acceptance of any nomination, or

(ii) by any corrupt practice committed in the interests of the returned candidate by an agent other than his election agent, or

(iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or

(iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act,

the Authority shall declare the election of the returned candidate to be void.

(2) If in the opinion of the Authority a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice but the Authority is satisfied—

(a) that no such corrupt practice was committed at the election by the candidate or his election agent, and every such corrupt practice was committed contrary to the orders, and without the consent, of the candidate or his election agent;

(b) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election; and

(c) that in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents,

then the Authority may decide that the election of the returned candidate is not void.

19. *Grounds for which a candidate other than the returned candidate may be declared to have been elected.*—If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the Authority is of opinion—

(a) that in fact the petitioner or such other candidate received a majority of the valid votes; or

(b) that but for the votes obtained by the returned candidate by corrupt practices the petitioner or such other candidate would have obtained a majority of the valid votes,

the Authority shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

20. *Communications of orders of the Authority.*—The Authority shall, as soon as may be after the conclusion of the trial of a petition, intimate the substance of the decision to the Election Commission and the Speaker or the Chairman, as the case may be, of the House of Parliament and, as soon as may be thereafter, shall send to the Election Commission an authenticated copy of the decision.

21. *Costs.*—Costs shall be in the discretion of the Authority:

Provided that where a petition is dismissed under clause (a) of section 16, the returned candidate shall be entitled to the costs incurred by him in contesting the petition and accordingly the Authority shall make an order for costs in favour of the returned candidate.

22. *Orders of Authority to be final.*—No order made by an Authority under this Act shall be called in question in any court.

23. *Effect of orders of Authority.*—(1) An order made by an Authority under this Act shall take effect as soon as it is pronounced by the Authority.

(2) Where by an order under section 16 the election of a returned candidate is declared to be void, acts and proceedings in which that returned candidate has, before the date thereof, participated as a member of Parliament or, as the Prime Minister or as the Speaker of the House of the People shall not be invalidated by reason of that order, nor shall such candidate be subjected to any liability or penalty on the ground of such participation.

CHAPTER V

MISCELLANEOUS

24. *Withdrawal and abatement of petitions.*—The provisions of sections 109 to 116 (both inclusive) of the Representation of the People Act, 1951 (43 of 1951), relating to withdrawal and abatement of election petitions shall, so far as may be, apply in relation to withdrawal and abatement of petitions under this Act subject to the modifications that the references therein to an election petition, High Court and petitioner shall be construed as references to a petition under this Act, the Authority for hearing such petition and the petitioner in respect of such petition respectively.

25. *Payment of costs out of security deposits and return of such deposits.*—(1) If in any order as to costs

under the provisions of this Act there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of the security deposit and the further security deposit, if any, made by such party under this Act on an application made in writing in that behalf within a period of one year, from the date of such order to the Election Commission by the person in whose favour the costs have been awarded.

(2) If there is any balance left of any of the said security deposits after payment under sub-section (1) of the costs referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year, the whole of the said security deposits may, on an application made in that behalf in writing to the Election Commission by the person by whom the deposits have been made, or if such person dies after making such deposits, by the legal representative of such person, be returned to the said person or to his legal representative, as the case may be.

26. *Execution of orders as to costs.*—Any order as to costs under the provisions of this Act may be produced before the principal civil court of original jurisdiction within the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business or where such place is within a presidency-town before the court of small causes having jurisdiction there, and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit:

Provided that where any such costs or any portion thereof may be recovered by an application made under sub-section (1) of section 25, no application shall lie under this section within a period of one year from the date of such order unless it is for the recovery of the balance of any costs which has been left unrealised after an application has been made under that sub-section owing to the insufficiency of the amount of the security deposits referred to in that sub-section.

27. *Power to make rules.*—(1) The Central Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the deposit or further deposit to be made by the petitioner as security for the costs;

(b) the appointment of officers and other employees for assisting the Authorities in the discharge of their functions and the conditions of service of such officers and other employees;

(c) the custody of deposits made under this Act, the payment of costs out of such deposits on an application made under section 25 and other matters relating to the disposal of such applications;

(d) the fees, if any, payable in respect of any petition or application under this Act;

(e) any other matter which has to be prescribed by or provided for by rules made under this Act

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty

days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session, or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

28. Repeal and saving.—(1) The Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 (4 of 1977), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

Assented to on 23-4-1977.

THE CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] ACT, 1977

(ACT No. 17 of 1977)

AN
ACT

to provide, in the public interest, for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right, title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited, and marketed and distributed by the said undertakings, in India, are so distributed as best to subserve the common good.

Whereas the Caltex Petroleum Corporation (a foreign company) has at present the ownership of, and control over, a significant portion of the petroleum products produced, marketed and distributed in India by reason of the fact that one of its subsidiaries, namely, the Caltex Oil Refining (India) Limited (an Indian company), is carrying on the business of refining crude oil and producing petroleum products in India and another of its subsidiaries, namely, the Caltex (India) Limited (a foreign company), is carrying on through its undertakings in India the business of marketing and distributing petroleum products;

And whereas it is expedient in the public interest that the shares of the said Caltex Oil Refining (India) Limited and the undertakings in India of the said Caltex (India) Limited should be acquired;

And whereas such acquisition is for giving effect to the policy of the State towards securing the principle specified in clause (b) of article 39 of the Constitution as the ownership and control of the material resources of the community, to wit the petroleum products produced by the said Caltex Oil Refining (India) Limited and marketed and distributed by the undertakings of the said Caltex (India) Limited, in India, would by reason of such acquisition become vested in the State and thereby so distributed as best to subserve the common good.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the Caltex [Acquisition of Shares of Caltex

Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Act, 1977.

(2) It shall be deemed to have come into force on the 30th day of December, 1976.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “appointed day” means the 30th day of December, 1976;

(b) “Caltex (India)” means the Caltex (India) Limited, a foreign company within the meaning of section 591 of the Companies Act, 1956 (1 of 1956), incorporated in Bahamas Islands and having its registered office in the City of Nassau in the Island of New Providence;

(c) “Caltex Oil Refining” means the Caltex Oil Refining (India) Limited, being a company as defined in the Companies Act, 1956 (1 of 1956) and having its registered office at Shoorji Vallabhdass Marg, Bombay;

(d) “Caltex Petroleum” means the Caltex Petroleum Corporation, a company incorporated in the State of Delaware in the United States of America and having its principal business office at 380, Madison Avenue, New York, United States of America;

(e) “Government company” means a company as defined in section 617 of the Companies Act, 1956 (1 of 1956);

(f) “notification” means a notification published in the Official Gazette;

(g) “prescribed” means prescribed by rules made under this Act.

CHAPTER II

ACQUISITION OF THE SHARES OF CALTEX OIL REFINING

3. Transfer and vesting in the Central Government of shares of Caltex Oil Refining.—(1) On the appointed day, all the shares in the capital of Caltex Oil Refining shall, by virtue of this Act, stand transferred to, and vested in, the Central Government.

(2) All the shares which have vested in the Central Government under sub-section (1) shall, by force of such vesting, be freed and discharged of all trusts, liabilities, obligations, mortgages, charges, liens and other encumbrances affecting them.

(3) Any dividend payable by Caltex Oil Refining in respect of any period beginning from the 1st day of January, 1976, shall be payable to the Central Government.

4. Management of Caltex Oil Refining.—(1) For the purpose of enabling Caltex Oil Refining to function as a Government company, the Central Government may, by notification, make such amendments in the memorandum and articles of association of that company and such other provisions as it may consider necessary,

(2) Any amendments in the memorandum and articles of association of Caltex Oil Refining and any other provisions made under sub-section (1), shall have effect notwithstanding anything contained in the Companies Act, 1956 (1 of 1956).

CHAPTER III

ACQUISITION OF THE UNDERTAKINGS OF CALTEX (INDIA) IN INDIA

5. Transfer and vesting in the Central Government of the undertakings of Caltex (India) in India.—On the

appointed day, the right, title and interest of Caltex (India) in relation to its undertakings in India shall, by virtue of this Act, stand transferred to, and vested in, the Central Government.

6. *General effect of vesting.*—(1) The undertakings of Caltex (India) referred to in section 5 shall be deemed to include all assets, rights, powers, authorities and privileges and all property, movable and immovable, cash balances, reserve funds, book debts, investments and all other rights and interests in, or arising out of such property as were, immediately before the appointed day, in the ownership, possession, power or control of Caltex (India), in relation to its undertakings in India, and all books of account, registers, records and all other documents of whatever nature relating thereto and shall also be deemed to include all borrowings, liabilities (including the liability for the payment of any pension and other pensionary benefits to the persons employed in relation to its undertakings in India) and obligations of whatever kind then subsisting of Caltex (India) in relation to its undertakings in India;

Provided that remittances outside India of any money for the payment of pension or other pensionary benefits shall be subject to the rules and regulations for the time being in force in relation to such remittances.

(2) The profits earned by Caltex (India) in relation to its undertakings in India from the 1st day of January, 1976 shall be payable to the Central Government.

(3) Unless otherwise expressly provided by this Act, all deeds, bonds, agreements, powers of attorney, grants of legal representation and other instruments of whatever nature in relation to the undertakings of Caltex (India) in India subsisting or having effect immediately before the appointed day, and to which Caltex (India) is a party or which are in favour of Caltex (India) shall be of as full force and effect against or in favour of the Central Government and may be enforced or acted as fully and effectually as if in the place of Caltex (India), the Central Government had been a party thereto or as if they had been issued in favour of the Central Government.

(4) If on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to the undertakings of Caltex (India) in India, which have been transferred to, and vested in, the Central Government under section 5, is pending by or against Caltex (India), the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of Caltex (India) in India or of anything contained in this Act but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government.

7. *Special provisions as to certain rights and interests held by Caltex (India) before the appointed day.*—(1) Every right or interest in respect of any property in India (including a right under any lease or under any right of tenancy or any right under any arrangement to secure any premises for any purpose), which Caltex (India) held immediately before the appointed day shall, notwithstanding anything contained in any other law or in any agreement or instrument relating to such right or interest, vest in, and be held by, the Central Government on and after the appointed day on the same terms and conditions on which Caltex (India) would have held it, if no negotiations had taken place for the acquisition by the Central Government of the undertakings of Caltex (India) in India or, as the case may be, if this Act had not been passed.

(2) If at any time after the 2nd day of February, 1974 (being the date on which the Central Government's policy for acquiring undertakings engaged in the production, marketing or distribution of petroleum products was made known) and before the commencement of this Act, Caltex (India) surrendered or otherwise relinquished any right or interest in respect of any

property in India (including a right under any lease or under any right of tenancy or a right under any arrangement to secure any premises for any purpose), then, for the purposes of this Act, notwithstanding anything contained in any other law or in any agreement or instrument relating to such right or interest, the Central Government shall, on and after the appointed day, be entitled to such right or interest on the same terms and conditions on which Caltex (India) would have been entitled to such right or interest if it had not surrendered or otherwise relinquished such right or interest and this Act had not been passed:

Provided that nothing in this sub-section shall apply to any right or interest surrendered or otherwise relinquished by Caltex (India) before the commencement of this Act for sufficient monetary consideration.

(3) On the expiry of the term of any lease, tenancy or arrangement referred to in sub-section (1) or sub-section (2), such lease or tenancy or arrangement shall, if so desired by the Central Government, be renewed or continued, so far as may be, on the same terms and conditions on which the lease or tenancy or arrangement was originally granted or entered into.

8. *Removal of doubts.*—(1) For the removal of doubts, it is hereby declared that the provisions of sections 5, 6 and 7 shall apply to the extent to which any property appertains to the business carried on by Caltex (India) in India; and to the rights and powers acquired, and to debts, liabilities and obligations incurred, and to contracts, agreements and other instruments made, by Caltex (India) in India, and to legal proceedings relating to those matters pending in any court or tribunal in India.

(2) If any question arises as to whether any property appertained, immediately before the appointed day to any business of Caltex (India) in India, or whether any rights, powers, debts, liabilities or obligations were acquired or incurred or any contract, agreement or other instrument was made by Caltex (India) for the purpose of its business in India, or whether any documents relate to those purposes, or whether the provisions of section 7 apply in relation to any property, the question shall be referred to the Central Government which shall, after giving a reasonable opportunity of being heard to the persons interested in the matter, decide it in such manner as it may think fit.

9. *Power of Central Government to direct vesting of the undertakings of Caltex (India) in a Government company.*—(1) Notwithstanding anything contained in sections, 5, 6 and 7, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct by notification, that the right, title and interest and the liabilities of Caltex (India) in relation to any of its undertakings in India shall, instead of continuing to vest in the Central Government, vest in the Government company either on the date of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) When the right, title and interest and the liabilities of Caltex (India) in relation to its undertakings in India vest in a Government company under sub-section (1), all the rights and liabilities of the Central Government in relation to such undertaking shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(3) The provisions of sections 5, 6 and 7 shall, so far as may be, apply in relation to such Government company as they apply in relation to the Central Government and for this purpose references therein to the "Central Government" shall be construed as references to such Government company.

CHAPTER IV

PAYMENT OF AMOUNT

10. *Payment of amount to Caltex Petroleum and Caltex (India).*—(1) For the transfer to, and vesting in, the Central Government under section 3 of the shares of Caltex Oil Refining and for the transfer to, and vesting in, the Central Government under section 5 of the right, title and interest of Caltex (India) in relation to its undertakings in India, there shall be paid by the Central Government an aggregate amount of rupees thirteen crores to Caltex Petroleum and Caltex (India) in the proportions agreed to by them.

(2) The amount specified in sub-section (1) shall carry interest free of income-tax at the rate of eight per cent per annum from the 1st day of January, 1977, till the date of payment in the manner specified in the Schedule.

(3) The amounts payable under sub-section (1) and (2) shall be payable in instalments in accordance with the provisions of the Schedule.

(4) In addition to the amounts mentioned in sub-section (1) and (2), the Central Government shall pay to Caltex Petroleum or Caltex (India), as the case may be, such amount in Indian currency as may be required by the said companies to pay towards all taxes in India on the amounts payable under the said sub-sections and all other taxes in India the liability for the payment of which arises directly on the transfer to, and vesting in, the Central Government of the shares of Caltex Oil Refining and of the undertakings of Caltex (India) in India.

CHAPTER V

PROVISIONS RELATING TO EMPLOYEES

11. *Transfer of service of existing employees of Caltex (India), etc.*—(1) Every whole-time officer or other employees of Caltex (India) who was, immediately before the appointed day, employed by Caltex (India) in connection with its undertakings in India, and every whole-time officer or other employee of Caltex (India) who was, immediately before the appointed day, temporarily holding any assignment outside India shall, on the appointed day, become an officer or other employee, as the case may be, of the Central Government or the Government company (hereinafter referred to as the successor Government company) in which the right, title and interest of Caltex India in relation to its undertakings in India have vested under this Act and shall hold office or service under the Central Government or the successor Government company, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Central Government or the successor Government company is duly terminated or until his remuneration and conditions of service are duly altered by the Central Government or the successor Government company.

(2) Subject to rules made in this behalf under section 23, every whole-time officer or other employee of Caltex Oil Refining who was, immediately before the appointed day, employed by Caltex Oil Refining in India, and every whole-time officer or other employee of Caltex Oil Refining was, immediately before the appointed day, temporarily holding any assignment outside India shall, on and from that day, continue to be an officer or other employee of Caltex Oil Refining, on the same terms and conditions and with the same rights to pension, gratuity and other matters as are admissible to him immediately before that day and shall continue to hold such office unless and until his employment under the Caltex Oil Refining is duly terminated or until his remuneration and conditions of service are duly altered by that company.

(3) If any question arises as to whether any person was a whole-time officer or other employee of Caltex (India), or as to whether any officer or other employee was employed wholly or mainly in connection with the undertakings of Caltex (India) in India immediately before the appointed day, or whether any whole-time officer or other employee of Caltex (India) was temporarily holding any assignment outside India, the question shall be referred, within a period of two years from the appointed day, to the Central Government which shall, after giving a reasonable opportunity of being heard to the person concerned in the matter, decide it in such manner as it thinks fit and such decision shall be final.

(4) Notwithstanding anything contained in the Industrial Disputes Act 1947 (14 of 1947), the Payment of Gratuity Act, 1972 (39 of 1972) or in any other law for the time being in force, the transfer of the services of any officer or other employee under sub-section (1) shall not entitle any such officer or other employee to any compensation or gratuity under those Acts or such other law, and no such claim shall be entertained by any court, tribunal or other authority.

12. *Provident, superannuation, welfare fund etc.*—(1) Where a provident, superannuation, welfare or other fund has been established by Caltex (India) for the benefit of the persons employed by it in connection with its undertakings in India, the moneys relating to the employees—

(i) whose services are transferred by or under this Act to the Central Government or the successor Government company, or

(ii) who are in receipt of pension or other pensionary benefits immediately before the appointed day,

shall, out of the moneys standing, on that day, to the credit of such provident, superannuation, welfare or other fund stand transferred to, and vested in, the Central Government or the successor Government company, as the case may be, free from any trust that may have been constituted by Caltex (India) in respect thereof.

(2) The moneys which stand transferred, under sub-section (1), to the Central Government or the successor Government company shall be dealt with by the Central Government or that company, as the case may be in such manner as may be prescribed.

(3) The successor Government company shall, as soon as may be after the undertaking of Caltex (India) in India become vested in it, constitute, in respect of the moneys and other assets which are transferred to, and vested in, under this section, one or more trusts having objects as similar to the objects of the existing trusts, as in the circumstances may be practicable, so, however, that the rights and interests of the beneficiaries of the trust referred to in sub-section (1) are not, in any way, prejudiced or diminished.

(4) Where all the moneys and other assets belonging to an existing trust are transferred to, and vested in, the Central Government or the successor Government company under this section, the trustees of such trust shall, as from the date of such vesting, stand discharged from the trust except as respects things done or omitted to be done before the date of such vesting.

CHAPTER VI

MISCELLANEOUS

13. *Effect of Act on other laws.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court, tribunal or other authority

14. Duty to deliver possession of properties etc.—(1) Where any property, appertaining to any undertaking of Caltex (India) in India has been transferred to, and vested in, the Central Government or the successor Government company under this Act,—

(a) every person in whose possession, custody or control any such property may be, shall, on a demand by the Central Government or the successor Government company, as the case may be, deliver the property to the Central Government or the successor Government company, as the case may be, forthwith;

(b) any person who, immediately before such vesting, has, in his possession, custody or control, any books, documents or other papers relating to the undertakings of Caltex (India) in India, shall be liable to account for the said books, documents and papers to the Central Government or the successor Government company, as the case may be, and shall deliver them up to the Central Government or that company or to such person as the Central Government or that company may authorise in this behalf.

(2) Without prejudice to the other provisions contained in this section, it shall be lawful for the Central Government or the successor Government company, to take all necessary steps for taking possession of all properties, which have been transferred to, and vested in, it under this Act.

15. Contracts to continue unless terminated by Central Government.—(1) Every contract entered into by Caltex (India) for any service, sale or supply in India, and in force immediately before the appointed day, shall, unless terminated under sub-section (2) within a period of two years from the appointed day, continue to be of full force and effect against or in favour of the Central Government or, as the case may be, the successor Government company.

(2) The Central Government may, if it is satisfied that any contract referred to in sub-section (1) is unduly onerous or has been entered into in bad faith or is detrimental to the interest of that Government or the successor Government company, as the case may be, by order in writing, either terminate such contract or make such alterations or modifications therein as it may think fit:

provided that the Central Government shall not terminate any contract or make any alteration or modification therein except after giving to the parties to the contract, a reasonable opportunity of being heard and except after recording in writing, its reasons for such termination, alteration or modification, as the case may be.

16. Use of designs, trade marks, etc., belonging to Caltex Petroleum or Caltex (India).—Nothing in this Act shall be construed to entitle Caltex Oil Refining or the Central Government or the successor Government company to use—

(a) any designs, trade marks, trade names (including the name Caltex or any part thereof), styles of labelling, belonging to Caltex Petroleum or Caltex (India), after the expiry of a period of twelve months from the appointed day; and

(b) any station decor (including distinctive colour schemes) belonging to Caltex Petroleum or Caltex (India), after the expiry of a period of twenty-four months from the appointed day.

17. Penalties.—Any person who,—

(a) having in his possession, custody or control any property forming part of any undertaking of Caltex (India) in India wrongfully withholds such property from the Central Government or the successor Government company; or

(b) wrongfully obtains possession of, or retains, any property forming part of any undertaking of Caltex (India) in India; or

(c) wrongfully withholds or fails to furnish to the Central Government or the successor Government company or any person specified by the Central Government or that company, any books, documents or other papers relating to any undertaking of Caltex (India) in India which may be in his possession, custody or control; or

(d) fails to deliver to the Central Government or the successor Government Company, any assets, books of account registers or other documents in his possession, custody or control relating to any undertaking of Caltex (India) in India; or

(e) wrongfully removes or destroys any property forming part of any undertaking of Caltex (India) in India; or

(f) wrongfully uses any property forming part of any undertaking of Caltex (India) in India,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

18. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

19. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government or the successor Government company or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

20. Cognizance of offences. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974), no court shall take cognizance of any offence against this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

21. Indemnity.—Every officer of the Central Government and every officer or other employee of the successor Government company, shall be indemnified by the

Central Government or the successor Government company, as the case may be, against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act except such as have been caused by his own wilful act or default.

22. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

23. *Power to make rules.*—(1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

24. *Repeal and saving.*—(1) The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) limited] Ordinance, 1976 (Ord. 15 of 1976) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provision of this Act.

THE SCHEDULE

[See section 10]

1. The amount specified in sub-section (1) of section 10 shall be deemed to correspond to fourteen million, five hundred and sixty thousand dollars (hereafter in this Schedule referred to as the principal amount).

2. The amount referred to in the foregoing paragraph and the interest due thereon shall be paid in instalments in accordance with the provisions of the table below, namely:—

TABLE

Date of Payment	Instalments in dollars		
	Principal amount	Interest	Total
(i) 31-3-1977	10,080,000	—	10,080,000
(ii) 31-3-1978	1,120,000	642,419	1,762,419
(iii) 31-3-1979	1,120,000	268,800	1,388,800
(iv) 31-3-1980	1,120,000	179,200	1,299,200
(v) 31-3-1981	1,120,000	89,600	1,209,600

Explanation.—In this Schedule “dollar” means the unit of currency in the United States of America.

भाग 7.—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

देखिये पृष्ठ 1624—1627

PART I

ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATION

Simla-171002, the 6th October, 1977

No. Ahy. B(2)-3/77.—Consequent upon the revision of pay scales of the posts of Superintendents in the Directorate of Animal Husbandry from Rs. 400—650 to Rs. 500—900 w.e.f. 23-2-1977 vide Finance Department's office Memo No. Fin. (c)-B (7) 17/77, dated 19-4-1977 and their re-classification as Class II (Gazetted) as per norms fixed by the Government, the Governor, Himachal Pradesh is pleased to appoint the following officers, the present incumbents of the posts of Superintendents (Non-Gazetted) to the posts of Superintendent in Class II (Gazetted) carrying the pay scales of Rs. 500-900, with the usual terms and conditions as laid down in their original appointment orders issued by the Director

of Animal Husbandry, Himachal Pradesh, Simla 171004:—

(i) Shri Balak Ram a substantive holder of the post of Head Clerk in the pay scale of Rs. 225—500: (His appointment to officiate as Superintendent which is on purely temporary basis, is however, subject to review, if necessary when the decision of the learned High Court of Himachal Pradesh, becomes available in his case).

(ii) Shri Nathu Ram Dogra, an officiating Head Assistant in the scale of Rs. 300-550. His appointment is against the temporary post of Superintendent.

By order,
ANANG PAL,
Secretary.

HOME DEPARTMENT

NOTIFICATION

Simla-2, the 11th October, 1977

No. Home (A)-A(4)-8/77.—Whereas on the 10th of October, 1977, during 1900 to 1930 hours, some dispute is alleged to have occurred inside the premises of the 'Baljee's Restaurant, The Mall, Simla' between certain local students and bearers of the said Restaurant resulting in scuffle between the said parties and damage to certain property of the restaurant, to wit, crockery, furniture, window panes etc.;

And whereas the students and the bearers are reported to have continued their scuffle on the Mall opposite the Baljee's Restaurant;

And whereas on noticing the said scuffle, police force from the Police Reporting Room, the Mall, is reported to have interfered and brought two students and one bearer who were actually found participating in the scuffle to the Police Reporting Room, on the Mall and registered a case against them under section 160 I.P.C.;

And whereas later at about 9.00 P.M., a huge crowd of students and others are reported to have assembled in front of the Police Reporting Room, on the Mall and started raising slogans against the Police and Baljee's restaurant and later turned violent and started pelting stones on public buildings and police on duty resulting in injuring to 10 Police personnel and damage to certain buildings on the Mall;

And whereas inspite of warning by the Police, the crowd is reported to have refused to disperse and continued pelting stones and the Police resorted to cane charge resulting in injuring some students;

And whereas the Governor, Himachal Pradesh is of the opinion that it is necessary to appoint a Commission of Enquiry to enquire into certain definite matters of public importance.

Now, therefore, the Governor, Himachal Pradesh, in exercise of the powers vested in him under section 3 of the Commissions of Inquiry Act, 1952, is pleased to appoint Shri H.S. Dubey, I.A.S., Financial Commissioner to the Government of Himachal Pradesh as the Commission of Enquiry and to require him to enquire into and report on the following matters in relation to the aforesaid incident, within one month from the date of this notification:—

- (i) facts and circumstances culminating in the flare up of the situation in the Baljee's Restaurant in the evening of 10th October, 1977 resulting in scuffle between the students and the bearers and damage to the property of the restaurant;
- (ii) the extent of damage caused to the property of the Baljee's Restaurant as a result of the said incident;
- (iii) the role played by the students outside the Baljee's Restaurant in pelting stones on the police and buildings and the immediate cause thereof;
- (iv) handling of the situation of the police and justification of the means employed and force used in such handling;
- (v) the extent of human casualties on both sides and damage to property during the course of incident outside the Baljee's Restaurant.
- (vi) any other matter which, in the opinion of the Commission is relevant to the ascertainment of facts relating to this incident.

Further, the Governor of Himachal Pradesh is of the opinion that, having regard to the nature of enquiry to be made and other circumstances of the case, the provisions of sub-section (2), (4) and (5) of the Commissions of Inquiry Act, shall be made applicable to the Commission and hereby directs that the said provisions shall apply to the Commission accordingly from the date of issue of this notification.

By order,
L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

REVENUE DEPARTMENT

(PONG CELL)

NOTIFICATIONS

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by Baira-Siul Hydel Project, Government of India at the public expense for a public purpose* it is hereby notified that land in the locality described below is likely to be acquired for the said* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition Baira-Siul Hydel Project, Dalhousie.

*Construction of 220 KV D/C. Transmission Line from Surangani to Talwara.

No. 4-3/77-Rev. Cell. Simla-171002, the 1st October, 1977.

SPECIFICATION

District: CHAMBA Tehsil: BHATTIYAT

Village	Khasra No.	Area Big. Bis.
1	2	3 4
RONI	996/1	0 16
No. 4-3/77-Rev. Cell. Simla-171002, the 1st October, 1977.		
GURAL	17	0 4
H. B. No. 96	18/1	0 6
	153/1	0 5
	154/1	0 6
Total		.. 1 1

By order,
H. S. DUBEY,
Secretary.

PRADESH FOR THE MONTH OF JANUARY, 1974

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rain fall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-1-74 to 30-1-74	Normal rainfall from 1-1-74 to 30-1-74
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
—	46.0	5.2	—	—	—	—	—	—	—	—	—	4	5.6	62.4	73.3	46.6	62.4	—
—	22.4	8.2	—	—	—	—	—	—	—	—	—	4	—	43.9	—	22.4	43.9	—
—	—	—	—	—	—	—	—	—	—	—	—	—	5.0	—	75.3	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	8	—	106.3	—	—	106.3	—
—	—	—	—	—	—	—	—	—	—	—	—	4	5.3	53.1	74.3	—	53.1	—
—	51.0	—	—	—	8.0	7.5	9.5	—	—	—	2.0	7	7.4	108.4	134.8	51.0	108.4	—
25.0	37.5	—	—	—	—	—	10.0	—	—	—	—	5	5.5	88.6	—	—	—	—
20.0	50.5	—	—	—	—	—	29.0	3.0	—	—	—	5	6.9	87.5	173.2	37.5	87.5	—
1.0	—	—	—	—	—	—	1.0	0.5	—	—	—	3	6.7	166.3	160.5	50.5	166.3	—
1.5	—	—	—	—	—	—	0.6	0.3	—	—	—	3	7.1	66.5	157.1	42.0	66.5	—
15.0	—	—	—	—	—	—	10.0	—	—	—	—	6	7.4	6.3	117.9	1.5	6.3	—
45.0	10.0	—	—	5.0	—	15.0	5.0	—	—	—	—	7	8.6	130.0	228.4	30.0	130.0	—
61.0	—	—	—	—	—	—	—	—	—	—	—	7	8.7	130.1	149.5	45.0	130.0	—
5.0	—	—	—	—	—	—	—	—	—	—	—	7	7.9	101.5	15.6	61.2	101.5	—
17.0	20.0	—	—	—	—	20.0	17.0	—	—	—	2.0	7	—	65.0	126.3	37.5	65.0	—
—	—	—	—	—	—	—	—	—	—	—	—	7	—	137.0	—	27.0	137.0	—
—	—	—	—	—	—	—	—	—	—	—	—	50	5	998.5	—	—	998.5	—
—	—	—	—	—	—	—	—	—	—	—	—	5	7.3	99.8	149.0	—	99.8	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
21.6	—	—	—	—	—	—	—	—	—	—	—	2	N.A.	26.7	N.A.	21.6	26.7	—
75.0	45.0	—	—	—	—	—	3.7	—	25.0	—	—	3	N.A.	82.0	N.A.	45.0	82.0	—
—	8.0	—	—	—	—	—	—	—	—	—	—	6	N.A.	114.7	N.A.	75.0	114.7	—
—	19.0	—	—	—	—	—	—	—	—	—	—	2	N.A.	35.0	N.A.	19.0	35.0	—
—	—	—	—	—	—	—	—	—	—	—	—	13	3	258.4	—	—	258.4	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	64.6	N.A.	—	64.6	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
3.0	62.0	20.1	1.4	—	—	—	—	—	—	—	—	8	5.2	147.5	70.6	62.0	147.5	—
96.0	77.0	14.6	—	—	—	—	29.2	—	—	—	—	10	9.2	387.2	184.2	96.0	387.2	—
—	—	—	—	—	—	—	—	—	—	—	—	4	8.5	80.5	146.9	40.2	80.5	—
—	—	—	—	—	—	—	0.6	11.6	—	—	—	9	8.6	272.0	92.6	81.0	272.0	—
—	—	—	—	—	31.0	2.0	7.0	—	—	—	—	8	6.2	265.0	109.1	52.0	265.0	—
—	—	—	—	—	—	—	—	—	—	—	—	39	8	1152.2	—	—	1152.2	—
—	—	—	—	—	—	—	—	—	—	—	—	8	7.5	230.4	120.7	—	230.4	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
41.6	—	—	—	—	—	—	—	—	—	—	—	4	N.A.	73.9	N.A.	24.7	73.9	—
21.4	—	—	—	—	—	—	—	—	—	—	—	6	N.A.	63.4	N.A.	21.4	63.4	—
30.7	2.3	1.2	—	—	—	—	3.0	1.0	—	—	2.0	8	N.A.	101.9	N.A.	30.7	101.9	—
7.8	—	—	—	—	—	—	—	—	—	—	—	10	N.A.	67.8	N.A.	13.0	67.8	—
19.4	19.2	—	—	—	7.8	2.7	6.4	—	—	—	—	7	N.A.	79.4	N.A.	19.4	79.4	—
10.0	6.0	—	—	—	—	—	—	—	—	—	—	5	N.A.	35.0	N.A.	10.0	35.0	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	60.0	N.A.	37.0	60.0	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	7.9	N.A.	6.6	7.9	—
21.4	1.6	—	—	—	—	—	—	—	—	—	—	2	N.A.	23.0	N.A.	21.4	23.0	—
0.1	—	—	—	—	2.0	2.5	—	—	—	—	—	8	N.A.	24.3	N.A.	7.0	24.3	—
—	—	—	—	—	—	—	—	—	—	—	—	7	N.A.	8.1	N.A.	2.0	8.1	—
2.5	0.5	—	—	—	—	—	—	—	—	—	—	8	N.A.	11.2	N.A.	3.0	11.2	—
1.5	—	—	—	—	—	—	—	—	—	—	—	7	N.A.	5.2	N.A.	—	5.2	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	27.0	N.A.	15.0	27.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
25.4	14.2	2.2	—	—	4.0	4.6	—	—	—	—	—	7	N.A.	64.6	N.A.	25.4	64.6	—
8.0	15.0	2.0	—	—	—	—	15.0	—	—	—	—	7	N.A.	53.5	N.A.	15.0	53.5	—
—	—	—	—	—	—	—	—	—	—	—	—	95	6	711.6	—	—	711.6	—
—	—	—	—	—	—	—	—	—	—	—	—	6	N.A.	44.5	N.A.	—	44.5	—

MONTHLY RAINFALL RECORDED IN HIMACHAL

[illegible]

PRADESH FOR THE MONTH OF JANUARY, 1974

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-9-73 to 30-9-73.	Normal rainfall from 1-9-73 to 30-9-73.
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
25.0	—	—	—	—	12.5	24.5	—	—	—	—	21.1	6	6.0	96.4	82.7	24.1	96.4	—
—	—	—	—	—	—	—	—	—	—	—	—	—	7.6	—	117.6	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	5.1	—	102.9	—	—	—
49.2	0.8	—	—	7.8	32.8	4.4	—	—	—	1.6	—	7	7.1	147.0	96.8	—	—	—
9.0	23.6	—	—	—	2.4	21.3	—	11.6	—	11.0	2.2	8	6.2	113.1	107.5	49.2	147.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	6.1	—	89.6	23.6	113.1	—
32.0	2.3	—	—	—	—	—	—	—	—	10.8	21.4	4	6.9	94.5	93.3	—	—	—
50.0	15.0	—	—	—	—	—	—	—	—	—	50.0	6	2.5	145.0	80.7	32.0	32.0	—
16.0	8.0	—	—	—	4.0	12.0	4.0	—	—	—	11.0	8	2.5	79.0	47.0	50.0	145.0	—
N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	2.5	N.R.	35.6	—	79.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	30.1	—	—	—
—	—	—	—	—	—	—	3.8	—	—	—	—	39	—	675.0	—	—	675.0	—
—	—	—	—	—	—	—	—	—	—	—	—	6	5.9	112.5	86.3	—	112.5	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	5	N.A.	45.7	N.A.	14.5	45.7	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	28.8	N.A.	18.6	28.8	—
—	—	—	—	—	—	0.3	0.2	—	—	—	—	1	N.A.	5.6	N.A.	5.1	5.6	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	9	—	80.1	—	—	80.1	—
—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	26.7	N.A.	—	26.7	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	2.0	5.6	—	—	—	—	—	—	—	—	—	1	4.8	7.6	88.9	5.6	7.6	—
—	—	—	—	—	—	—	—	—	—	—	—	—	4.55	—	73.9	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	2	4.7	—	101.9	—	—	—
—	18.2	—	—	—	—	—	—	—	4.5	—	—	—	5.5	22.7	100.2	18.2	22.7	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	4.7	—	72.7	—	—	—
—	6.3	5.6	—	—	—	—	—	—	—	—	—	2	—	11.9	—	6.3	11.9	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	5	—	42.2	—	—	42.2	—
—	—	—	—	—	—	—	—	—	—	—	—	2	4.8	14.0	87.5	—	14.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	N.A.	—	N.A.	—	—	—

D. K. KHANNA,
Director of Land Records.

उप-नियन्त्रक, मुद्रण तथा लेखन-सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित ।